



POSTING OF WORKERS IN THE ROAD FREIGHT TRANSPORT SECTOR

LYNN DE SMEDT, HENRI BUSSINK, FREDERIC DE WISPELAERE & ARJAN HEYMA

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General contact: frederic.dewispelaere@kuleuven.be
p.a. POSTING.STAT 2.0
HIVA - Research Institute for Work and Society
Parkstraat 47 box 5300, 3000 LEUVEN, Belgium

For more information frederic.dewispelaere@kuleuven.be

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Abbreviations

BoP	Balance of payments
BR	Basic Regulation (Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems)
CORTE	Confederation of Organisations in Road Transport Enforcement
CPC	Certificate of professional competence
EC	European Commission
ECR	Euro Control Route
ELA	European Labour Authority
ETF	European Transport Workers' Federation
EU	European Union
EU-13	Bulgaria (BG), Czechia (CZ), Estonia (EE), Croatia (HR), Cyprus (CY), Latvia (LV), Lithuania (LT), Hungary (HU), Malta (MT), Poland (PL), Romania (RO), Slovenia (SI), and Slovakia (SK)
EU-14	Belgium (BE), Denmark (DK), Germany (DE), Ireland (IE), Greece (EL), Spain (ES), France (FR), Italy (IT), Luxembourg (LU), the Netherlands (NL), Austria (AT), Portugal (PT), Finland (FI), and Sweden (SE)
EU-27	Belgium (BE), Bulgaria (BG), Czechia (CZ), Denmark (DK), Germany (DE), Estonia (EE), Ireland (IE), Greece (EL), Spain (ES), France (FR), Croatia (HR), Italy (IT), Cyprus (CY), Latvia (LV), Lithuania (LT), Luxembourg (LU), Hungary (HU), Malta (MT), the Netherlands (NL), Austria (AT), Poland (PL), Portugal (PT), Romania (RO), Slovenia (SI), Slovakia (SK), Finland (FI), and Sweden (SE)
IMI	Internal Market Information
IRU	International Road Transport Union
NACE	Nomenclature of Economic Activities
OSH	Occupational Safety and Health
PD A1	Portable Document A1
ROADPOL	European Traffic Police Network
RTPD	Road Transport Posting Declaration
TCN	Third-country national

Executive summary

Specific provisions on the application of the posting rules to road transport drivers were introduced by Directive (EU) 2020/1057¹ as *a lex specialis* to the general rules on the posting of workers laid down in Directive 96/71/EC² (i.e., the Posting of Workers Directive) and Directive 2014/67/EU³ (i.e., the Enforcement Directive).⁴ As a *lex specialis*, Directive (EU) 2020/1057 establishes specific rules, in particular to determine when a driver is to be considered a posted worker.^{5,6} Cabotage operations,⁷ cross-trade operations,⁸ and non-bilateral operations forming part of the initial or final road leg of a combined transport operation fall within the scope of the posting rules.⁹ This delineation is far from trivial, as whether a driver is considered posted has significant consequences for their remuneration.¹⁰ The *lex specialis* also provides for several administrative requirements and control measures for the enforcement of the posting rules.¹¹ For instance, at the latest at the commencement of the posting, road transport operators must submit a posting declaration containing essential information about the driver and the posting. This declaration must be submitted via the EU Road Transport Posting Declaration portal (i.e., the RTPD portal)¹².

A key research question concerns the impact of the implementation of the *lex specialis*, notably its legal and administrative framework, on hauliers, drivers, public administrations, and enforcement bodies, with regard to awareness, compliance, and enforcement of the posting rules applicable to road transport drivers, as well as the resulting effects on drivers' terms and conditions of employment

1 Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012. The *lex specialis* provides a set of specific rules for transport operations in respect of goods AND passengers. The focus of this paper is on road freight transport. However, sometimes it is not possible to distinguish between the two groups, for example when referring to figures from the RTPD portal.

2 Directive 96/71/EC as amended by Directive (EU) 2018/957.

3 Directive 2014/67/EU.

4 For more information, see also the publications and initiatives undertaken by the EC, ELA, as well as CORTE.

5 According to Recital 9 of Directive (EU) 2020/1057, the key principle for determining the existence of a posting situation is the presence of a sufficient link between the driver, the service provided, and the territory of a host Member State.

6 See Recital 7 of Directive (EU) 2020/1057: "In order to ensure the effective and proportionate implementation of Directive 96/71/EC in the road transport sector, it is necessary to establish sector-specific rules reflecting the particularities of the highly mobile workforce in the road transport sector and providing a balance between the social protection of drivers and the freedom of operators to provide cross-border services".

7 Understood as domestic transport operations for hire or reward carried out on a temporary basis on the territory of a Member State by an operator established in another Member State.

8 Understood as transport operations carried out between two Member States, or between a Member State and a third country, none of which is the country of establishment of the operator carrying out these operations.

9 Article 1.2 of Directive (EU) 2020/1057 states that the "these specific rules apply to drivers employed by undertakings established in a Member State which take the transnational measure referred to in point (a) of Article 1(3) of Directive 96/71/EC", which refers to "post workers to the territory of a Member State on their account and under their direction, under a contract concluded between the undertaking making the posting and the party for whom the services are intended, operating in that Member State, provided there is an employment relationship between the undertaking making the posting and the worker during the period of posting". Consequently, the *lex specialis* does not address the specific situation of drivers employed by temporary work agencies. Temporary agency drivers carrying out cross-border transport operations therefore fall within the scope of the Posting of Workers Directive. Moreover, the *lex specialis* does not regulate intra-corporate transfers, namely situations in which drivers are posted to a subsidiary or establishment owned by the road transport operator. Such arrangements are likewise fully governed by the Posting of Workers Directive. Finally, both Directive (EU) 2020/1057 and the Posting of Workers Directive apply only to workers. Self-employed drivers therefore fall outside the scope of posting rules.

10 The posted driver should receive remuneration in line with host country standards. However, in a joint letter from May 2025, the International Road Transport Union (IRU) and the European Transport Workers' Federation (ETF) have urged the European Commission to support the standardisation of information provided by Member States and to promote a more uniform application of the Mobility Package I rules on posted driver remuneration.

11 See Recital 23 of Directive (EU) 2020/1057: "In order to reduce the administrative burden on operators it is necessary to simplify the process of sending and updating posting declarations. Therefore, the Commission should develop a multilingual public interface, to which operators have access and via which they can submit and update posting information and submit other relevant documents to IMI, as necessary."

12 See <https://www.postingdeclaration.eu/landing>.

and on fair competition between hauliers. This research question nevertheless goes beyond the scope of this paper, whose primary objective was to obtain an overview of the scale and characteristics of posting in the road transport sector, as well as the potential infringements associated with it. With regard to mapping the scale of posting, the RTPD portal has become the main data source since 2022. In addition, the administrative data available through the national prior declaration tools and through Portable Documents A1, in particular those issued pursuant to Article 13 of Regulation 883/2004¹³, are also highly relevant. Moreover, Eurostat collects and reports highly useful data that provide insight into the scale of cross-border road transport activities, in particular cabotage and cross-trade operations, as well as into the growing importance of posted third-country drivers.

To gain insight into the application of the *lex specialis*, the share of cabotage and cross-trade operations in total international transport operations is examined. In 2023, approximately one-third (35%) of international road transport operations in the EU-27 are estimated to fall within the scope of the *lex specialis*. This primarily consists of cross-trade operations (28.3%), and to a lesser extent of cabotage (6.9%). In certain ‘sending’ Member States, this combined share is particularly high, for example in Lithuania (81.5%). Data from the RTPD portal and the Portable Documents A1 issued under Article 13 clearly show that the vast majority of posted drivers originate from Poland and Lithuania. More than one-third of the declarations submitted by operators in the RTPD portal concern Poland, while over one-fifth concern Lithuania. Both countries also account for by far the highest volumes in tonne-km for cabotage and cross-trade activities. Furthermore, a very high proportion of posted drivers from Poland and Lithuania are TCNs, as reflected in the large number of driver attestations issued for both countries. The primary Member States to which drivers are posted are Germany, France, Belgium, the Netherlands, and Austria. This pattern is evident from the RTPD portal data as well as from data previously available in the prior declaration tools, and is further confirmed by the high cabotage penetration rates, which indicate the share of cabotage operations in a given country relative to its total national transport activity. The picture outlined above regarding the scale and characteristics of posting in the road transport sector can certainly be further refined in the future, primarily by analysing the data available from the RTPD portal. It is advisable to base such analyses on the ‘driver’ variable rather than on the ‘declaration’ variable, as it is important to know how many drivers are posted each year, from which Member State, and to which Member States. In addition, data on the nationality of the drivers in the RTPD portal should of course also be explored.

It cannot be denied that the road transport sector is particularly prone to infringements related to compliance with applicable wage and working conditions, including occupational safety and health (OSH). However, there are little to no statistics specifically addressing infringements related to the posting of drivers. At EU level, no comprehensive information is available on key enforcement indicators for the posting of workers in road freight transport, such as the number of labour inspectors involved, the number of inspections carried out, the outcomes of these inspections, the main types of infringements detected, or, finally, the recovery of unpaid or underpaid remuneration as well as financial sanctions. This gap was already highlighted in a thematic POSTINGSTAT paper on the enforcement of posting rules, which underscored the adage “no statistics, no reality, no problems” and stressed the urgent need for action at both national and EU levels to collect such data. Nonetheless, considering the enormous scale of road transport operations in the EU that fall under the *lex specialis*, and thus the large number of posted drivers, compared with the presumably limited number of inspections and labour inspectors, the likelihood of inspection and the overall enforcement of posting rules in the road transport sector appear to be very limited.

¹³ [Basic Regulation \(EC\) No 883/2004](#).

1. Introduction

The posting of workers within the European Union (EU) constitutes a cornerstone of the internal market. It enables companies to provide services temporarily across borders while maintaining the employment relationship in their home Member State. In the road freight transport sector, however, this arrangement has acquired a particular complexity. Drivers routinely operate across multiple jurisdictions, often within a single working day, and frequently under subcontracting structures that link carriers and logistics firms established in different Member States. Previous research has shown that the sector is characterised by multi-layered subcontracting chains and networks spanning several jurisdictions (Borgström, 2017). This transnational reality complicates the determination of which labour law and social security provisions apply and challenges the capacity of national and EU authorities to ensure coherent and consistent enforcement across borders (De Wispelaere & Pacolet, 2018; Cremers, 2019; Cremers, 2020).

The sector operates at the intersection of four fundamental freedoms that underpin the EU's internal market: the free movement of goods, the freedom to provide services, the freedom of establishment, and the free movement of workers. The free movement of goods enables cross-border road freight transport in the first place, as it removes restrictions on trade between Member States and thereby generates demand for international haulage services. The freedom to provide services enables transport undertakings to carry out operations across borders without establishing a permanent base in the host country. The freedom of establishment allows firms to set up subsidiaries or register fleets in other Member States, a practice that has gained prominence with the increased use of "flagging-out" strategies (Bergantino & O'Sullivan, 1999; Dieplinger et al., 2010; Kummer et al., 2014). Such strategies may be partly cost-driven, reflecting wage differentials, vehicle taxation regimes and variations in regulatory and administrative burden across Member States (Yannopoulos, 1988; Pastori & Brambilla, 2017; Sedlacek & Steinacher, 2019). The free movement of workers, in turn, allows drivers to be employed in one Member State while working temporarily or habitually in another. Collectively, these freedoms have fostered a deeply integrated, highly competitive and mobile European transport market. Yet their interaction has also generated persistent regulatory tensions. Firms may exploit cross-country differences in wages, taxation, conditions of establishment and enforcement capacity, thereby creating scope for regulatory arbitrage, social dumping and the emergence of complex business models involving letterbox companies (Raczkowski et al., 2017; Šimurková & Poliak, 2019; Cremers, 2019).

The legal framework governing the posting of workers has evolved gradually in response to these dynamics. The Posting of Workers Directive (96/71/EC) and its Enforcement Directive (2014/67/EU) define the minimum employment conditions that must be guaranteed to posted workers within the EU. However, these instruments were not originally designed for highly mobile forms of employment such as professional driving, where work is performed successively in multiple national territories. To address this regulatory gap, the *lex specialis* Directive (EU) 2020/1057, adopted as part of the Mobility Package I, introduced sector-specific rules for road transport. This directive clarifies the circumstances under which posting provisions apply – most notably in cabotage and cross-trade operations – and established a dedicated EU road transport posting declaration (RTPD) portal within the Internal Market Information (IMI) system to streamline administrative procedures and facilitate cross-border enforcement. At the same time, the sector continues to be shaped by broader market pressures such as increased globalisation, rising demand for rapid delivery, and the continuous expansion of transnational haulage activity (Nowakowska-Grunta & Strzelczyka, 2019; Noussan et al., 2020).

In parallel, the coordination of social security systems under Basic Regulation (EC) 883/2004 determines which national legislation governs a driver's social security insurance and contributions. While short-term postings generally fall under Article 12 BR, most professional drivers are classified under Article 13 BR, which covers multi-state employment. This dual regulatory structure – with posting governed by labour law on the one hand and multi-state employment governed by social security law on the other – means that the same driver can be classified differently depending on the legal regime applied. A driver who is “posted” for labour-law purposes may simultaneously be registered as a “multi-state worker” under Regulation 883/2004. Because these two regimes follow different rules, procedures and reporting requirements, they generate separate datasets that do not always align. As a result, the number of posting declarations recorded under the Posting of Workers Directive and the *lex specialis* and the number of Portable Documents A1 (PD A1) issued under social security coordination may diverge substantially. These discrepancies make it difficult to interpret the data consistently and complicate cross-country comparison, statistical analysis and policy evaluation (De Smedt & De Wispelaere, 2021).

This complex interplay between market freedoms, regulatory regimes, evolving business models and administrative practice has made it difficult to obtain a clear empirical picture of how posting functions in road transport. Despite the growing availability of data on posting in road freight transport, these data sources remain fragmented, cover different legal dimensions, and often lack comparability across Member States. Research also shows that the rapid growth of cabotage and cross-trade – especially by EU-13 hauliers operating in EU-14 markets – complicates the interpretation of posting data and raises questions about cost competition, compliance and enforcement (Kummer et al., 2017; Sternberg et al., 2020). Understanding the scale, characteristics and impact of the posting of drivers in the EU road freight transport sector, as well as the scale and characteristics of related infringements, is therefore crucial to assessing how the posting framework operates in practice and to evaluating whether it effectively supports fair competition, adequate working conditions and coherent enforcement across the internal market.

1.1 Research questions

Against this background, the present paper addresses two overarching questions:

- 1. What are the scale, characteristics and impact of the posting of drivers in the EU road freight transport sector?**

This question aims to quantify the scale and geographical distribution of postings in cross-border road freight transport within the EU by identifying the principal sending and receiving Member States, and to examine the implications of posting practices for market functioning, competitive conditions, and labour standards.

- 2. What are the scale and characteristics of infringements related to the posting of drivers in the EU road freight transport sector?**

This question aims to examine the nature and frequency of infringements related to the posting rules, and to analyse how these patterns reflect the complexity of the regulatory framework, enforcement practices, and underlying economic incentives.

Together, these questions aim to provide a comprehensive and evidence-based assessment of how posting operates in road freight transport – both as a legal and economic phenomenon and as an object of enforcement – thereby contributing to a more informed discussion on fair labour mobility, level playing field and regulatory coherence within the EU internal market.

1.2 Methodology and data sources

To address these questions, the study draws on several complementary administrative and statistical sources that together allow for a multi-dimensional analysis of posting and related infringements in

the EU road transport sector. Each source sheds light on a different legal or operational aspect of cross-border mobility, and their combined use helps overcome the limitations inherent in any single dataset.

Firstly, the Portable Document A1 (PD A1) establishes the presumption that the holder is affiliated to the social security system of the Member State which has issued the certificate and confirms that the person concerned has no obligations to pay social security contributions in another Member State. A Portable Document A1 is issued to various groups of persons, though mainly to 'posted' workers and self-employed persons (see Article 12 of Regulation (EC) 883/2004) and to persons who normally pursue an activity as an employed/self-employed person in two or more Member States (see Article 13 of Regulation (EC) 883/2004). As will be shown, international drivers typically receive a PD A1 based on Article 13.

Secondly, Member States may require a service provider established in another Member State to make a simple declaration, containing the essential information needed to enable factual checks at the workplace. All 27 Member States have made use of this possibility and have implemented such a prior declaration tool.

Thirdly, since 2 February 2022, the EU Portal for Road Transport Posting Declarations (RTPD portal) has become the mandatory declaration tool that operators must use when posting drivers to another Member State.

A final source consists of Eurostat road transport statistics, which capture the volume of international, cross-trade and cabotage operations carried out by hauliers from each Member State. Although these data do not identify the employment status of drivers, they serve as an essential benchmark for assessing whether the scale of declared postings corresponds to actual transport activity. Comparing Eurostat data with PD A1 and posting declarations helps reveal gaps, mismatches or inconsistencies that may stem from legal distinctions, reporting practices or non-compliance.¹⁴

To address the second research question, the study draws on the data collected for the POSTINGSTAT paper on inspection statistics regarding the enforcement of the posting rules (De Wispelaere et al., 2024d) as well as on the enforcement and infringement data from the EU Road Transport Enforcement Database. Ideally, these data capture infringements concerning posting declarations, terms and conditions of employment (incl. OSH), and the coordination of social security systems. These data could provide a basis for examining how regulatory complexity is reflected in patterns of non-compliance and where enforcement challenges are most pronounced across Member States. Finally, data from the Orbis database were also used.¹⁵

In preparation for this thematic paper, a webinar was held on 15 October 2025, during which the first interim results were presented and discussed.¹⁶ The webinar also provided a deeper exploration of the legal framework, as well as the practical realities faced by labour inspectors and trade unions. An additional benefit of the webinar was the presentation of data from the RTPD portal.

¹⁴ In addition, there are other valuable data sources from Eurostat that shed light on the importance of cross-border road transport in the EU. These include data on the number of [community licences](#) (i.e., this is a permit that allows transport companies to conduct international operations between EU member countries, as well as certain associated countries) and of [driver attestations](#) (i.e., drivers who are nationals of third countries must from now on be in possession of a driver attestation).

¹⁵ The Orbis database is a data resource from Moody's on private companies as well as listed companies. It encompasses information on more than 550 million companies all over the world (Moody's, 2025). Orbis not only collects data from over 170 different sources but also treats, appends, and standardizes the data to make it more comparable. Variables which are interesting for the current report are among other the industry classification, the address of companies, the financial information, and the ownership structure. However, some data are missing in Orbis, smaller firms might be underrepresented, and some information cannot be downloaded from the database without additional access (De Smedt & De Wispelaere, 2020). Nevertheless, it is still considered to be the "most comprehensive commercially available company-level global database at present" (Nakamoto et al., 2019:4).

¹⁶ For an overview of the PPT presentations see <https://hiva.kuleuven.be/nl/kalender/kalenderitems/posting-stat-webinar-posted-workers-in-the-road-transport-sector>

2. Scale, characteristics, and impact of intra-EU posting in road freight transport

2.1 Introduction

Before digging into the issue of posting in the road freight transport, a general introduction to the road freight transport sector in the EU-27 is useful, as this already reveals its changing nature over time. Looking at developments in road freight transport volumes, the number of enterprises and persons employed, the age structure of the workforce, and the ‘flagging out’ of road freight transport companies helps to illustrate these changes and provides essential context for the analysis that follows.

2.1.1 Road freight transport volumes (tonne-km)

The amount of transport carried out has gradually increased (*Figure 1*). The EU-27 performed 7.3% more road freight transport in 2023 compared to 2008. However, this increase is primarily due to the growth in international transport carried out (+18.6%) as opposed to national transport (+1.2%). In 2023, 61.3% of the road freight transport carried out by the EU-27 concerned national transport while 38.7% was international transport.

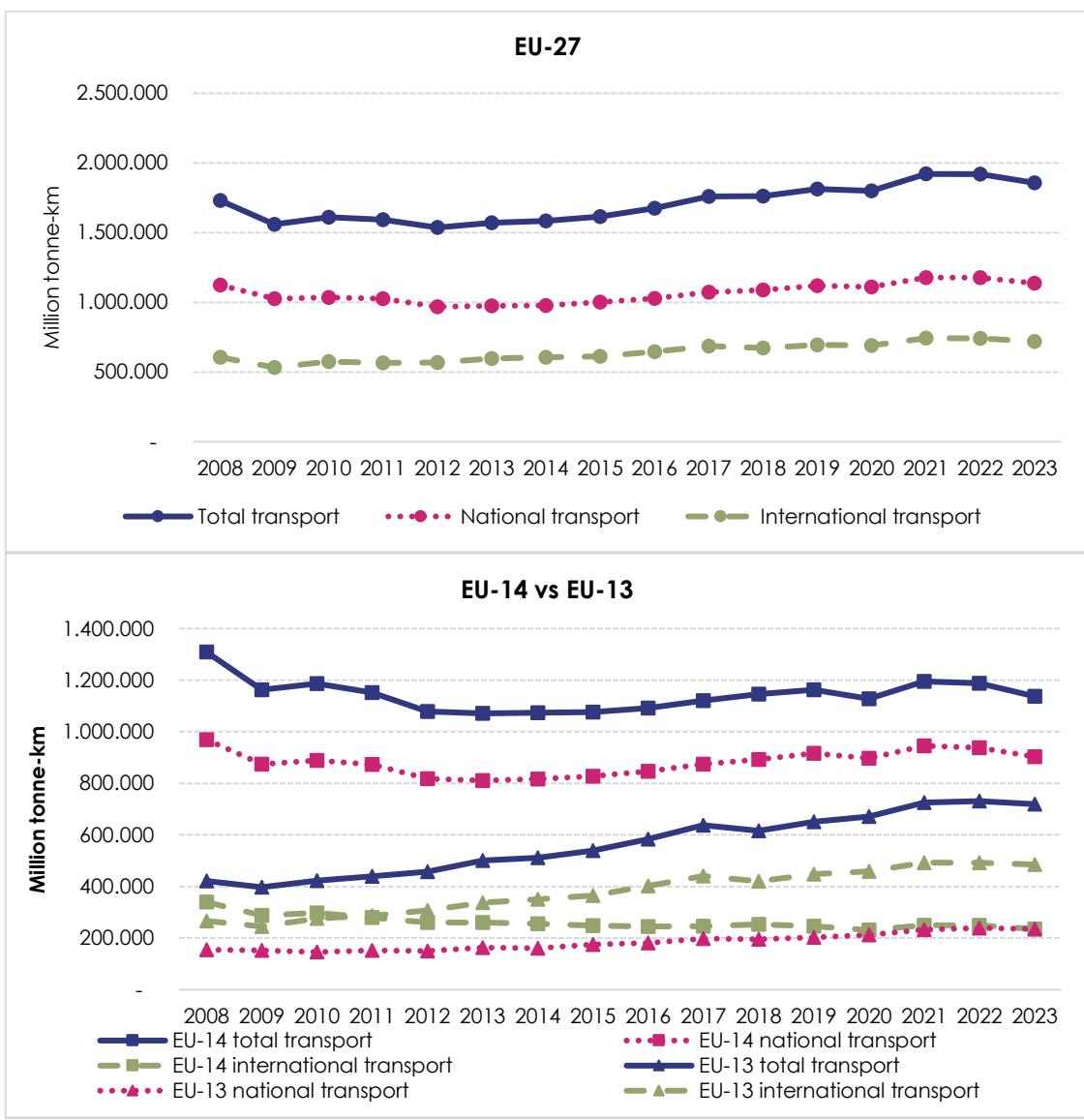
The bottom panel of *Figure 1* shows a clear difference between EU-14 and EU-13 Member States.¹⁷ In general, the transport carried out by the EU-14 has decreased over time (-13.1% from 2008 to 2023), while the transport carried out by the EU-13 has increased (+70.7% from 2008 to 2023). Overall, the EU-14 Member States consistently carry out the majority of road freight transport, with 1 137 822 million tonne-km carried out in 2023 compared to 719 164 million tonne-km carried out by the EU-13 Member States. Nevertheless, this is almost entirely due to the high amount of national transport carried out by the EU-14 Member States. While in 2023, 79.4% of transport performed by the EU-14 concerned national transport, this is only 32.6% for the EU-13.

A turning point in this regard is 2011. From this moment on, international transport performed by the EU-13 surpassed international transport performed by the EU-14. While the international transport performed by the EU-13 has been on an almost continuous increase, the opposite is true for international transport by the EU-14. From 2008 to 2023 the EU-13 knew a growth of 81.7% regarding international transport, while for the EU-14 it decreased by 30.9%. In 2023, the amount of national road freight transport performed by the EU-13 even passed the amount of international road freight transport performed by the EU-14.

In conclusion, the amount of million tonne-km of road freight transport performed shows that there is an overall growth of the sector in the EU-27 over time. This growth is mainly due to the increase in international transport carried out. Also, a gradual shift in international transport takes place from being carried out by the EU-14 Member States to being carried out by the EU-13 Member States.

¹⁷ The EU-14 Member States include the Member States that became a member in 1995, including Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxemburg, Netherlands, Portugal, Spain and Sweden. The EU-13 Member States are all remaining Member States that became a member after 1995, including Bulgaria, Cyprus, Czechia, Estonia, Hungary, Croatia, Latvia, Lithuania, Malta, Poland, Romania, Slovenia and Slovakia.

Figure 1. Annual road freight transport, in million tonne-km, EU-27 (top) and EU-14 vs EU-13 (bottom), 2008-2023



2.1.2 Number of enterprises and persons employed in road freight transport

In addition to looking at the amount of transport performed, other interesting indicators to gauge the evolution of the sector are the number of enterprises and the number of persons employed. In 2022, 587 000 road freight transport companies were active in the EU-27 and around 3.4 million persons employed.¹⁸

The majority of companies are located in the EU-14 (57.0%), as is the case for the majority of persons employed (63.3%) in 2022. More specifically, most companies are located in Spain (18.5%), Poland (18.0%), and Italy (10.0%), while most persons are employed in Poland (15.3%), Germany (13.2%), France (12.6%), Italy (11.4%), and Spain (10.3%).

Both the number of companies and persons employed has increased over time, but more so for the EU-13 than for the EU-14. From 2016 to 2022, the number of companies increased by 8.3% for the EU-27 and the number of persons employed by 16.3%.¹⁹ However, for EU-14 Member States,

¹⁸ Eurostat [sbs_sc_ovw]. Recent figures for 2024, refer to 592 000 road freight transport companies and 3.5 million employed persons.

¹⁹ Eurostat [sbs_ovw_act] for data 2021-2022 and Eurostat [sbs_na_1a_se_r2] for data 2016-2020. The starting point is 2016 as before this reference year, data for Spain were not available.

the growth only amounts to 0.8% for companies and 10.9% for persons employed, while for EU-13 Member States, they are 20.2% and 26.9% respectively. Once more, these indicators show that the road freight transport sector is a growing and important sector, albeit mainly due to evolution in the EU-13 Member States.

2.1.3 Age structure of the workforce in road freight transport

Another indicator of interest to show the changing nature of the road freight transport sector is the age of the persons active in this sector. In previous research, it was mentioned that labour shortages seem to be a pressing issue in this sector. This is a result of the growing demand, the unattractiveness of the job, as well as the ageing labour force (De Smedt & De Wispelaere, 2020). By analysing Eurostat data on NACE H49 Land transport and transport via pipelines, this claim can be checked.

While the share of persons of 50 years or older in the total EU-27 workforce (15 years or older) amounted to 28.3% in 2008, this has increased to 40.9% in 2024.²⁰ In the EU-14 it went up from 29.4% to 43.6% and in the EU-13 from 26.1% to 36.2%. In several Member States, more than half of the workforce in land transport and transport via pipelines was 50 years or older in 2024. This was the case in Estonia (58.8%), Latvia (58.8%), Denmark (57.2%), Cyprus (53.6%), Lithuania (52.9%) and Ireland (52.7%). The evolution of the share of workers 50 years or older is particularly impressive in Bulgaria, Latvia, and Lithuania as it grew by more than 25 percentage points (p.p.) in these Member States from 2008 to 2024.

Of course, considering the demographic evolutions in general, one might argue that the workforce is ageing in all sectors of activity, and this is not a specific problem for the transport sector. Nevertheless, Paradowska and Platje (2016) stated that the labour force in this sector is ageing more quickly than in other sectors. This does indeed seem to be true. In all sectors of activity, 25.4% of workers were aged 50 years or older in the EU-27 in 2008 opposed to 35.3% in 2024.²¹ Hence, the share of workers of 50 years or older increased by 9.9 p.p. from 2008 to 2024 in all sectors of activity but by 12.7 p.p. in land transport and transport via pipelines (see above, from 28.3% to 40.9%). In most Member States, the labour force is indeed ageing more rapidly in this sector than in general.²² Furthermore, in all Member States except for Romania,²³ the share of workers aged 50 or more is (considerably) larger in the land transport and transport via pipelines sector than in general. The difference in share even surpasses 20 p.p. in Estonia (36.5% in general versus 58.8% in the land transport and transport via pipelines), Denmark (35.6% vs 57.2%), Cyprus (30.7% vs 53.6%), and Ireland (30.7% vs 52.7%).

Thus, it is clear that the workforce in the transport sector is ageing, and even more rapidly than in general. Since some European countries experience more problems attracting new or young workers in road freight transport than others, while demand remains high, intra-EU posting of workers might provide an answer to this particular challenge.

2.1.4 'Flagging out' of road freight transport companies

Another element which can be looked at is the 'flagging out' of road freight transport companies. This means in practice that companies establish subsidiaries and register vehicle fleets abroad. This was particularly visible in the road freight transport sector after the EU enlargements of 2004 and 2007 when many companies 'flagged out' to Eastern Europe (De Smedt & De Wispelaere, 2020). This strategy of 'flagging out' is primarily viewed as a cost-cutting strategy that takes advantage of socioeconomic disparities between Member States (Pastori & Brambilla, 2017), as it allows companies

²⁰ Eurostat [lfsq_eganc22d].

²¹ Eurostat [lfsq_eganc].

²² This is not the case in Belgium (increase of share of persons 50 years or older of 9.2 p.p. in general vs 5.4 p.p. in land transport and transport via pipelines), Germany (10.0 p.p. vs 9.8 p.p.), Croatia (4.6 p.p. vs 4.4 p.p.), Italy (16.5 p.p. vs 13.9 p.p.), Poland (5.8 p.p. vs 2.0 p.p.), and Sweden (3.7 p.p. vs 0.4 p.p.). However, the fact that the share of workers of 50 years old or more is growing faster in general in these Member States, does not mean that the share of workers of 50 years or older is lower in land transport.

²³ In Romania, 32.8% of persons working in all sectors are aged 50 years or above compared to 30.8% in land transport.

to benefit from lower standards and reduced costs, particularly in labour-intensive and price-sensitive sectors (Kummer et al., 2014). Moreover, it is even seen as a survival strategy for road freight transport companies (De Wispelaere & Pacolet, 2018).

The ‘flagging out’ of road freight transport companies is being captured by looking at two main indicators: the share of export revenue in total operating revenue, and the existence of companies with foreign subsidiaries and foreign majority shareholders. A first key indicator of companies which have ‘flagged out’ is the presence of subsidiaries set up outside the Member State of establishment. For EU-27 road freight transport companies, this does not appear to be a common occurrence, as only 959 companies out of 623 846 have a foreign subsidiary (*Table 1*). This amounts to 0.2% of all transport companies found in the Orbis database.

Member States where a relatively higher number of road freight transport companies have a foreign subsidiary are Italy (101 companies), Spain (98), Belgium (94), and the Netherlands (92). Nevertheless, in relative terms, when comparing the number of companies with a foreign subsidiary to the total number of road freight transport companies, Member States which stand out are Luxembourg (2.6% of companies), Malta (2.5%), Ireland (1.2%), Cyprus (0.9%), and Denmark (0.9%).

In general, most road freight transport companies with a foreign subsidiary have a subsidiary located in the EU-27 (86.9% of which 55.1% in the EU-14 and 31.8% in the EU-13) as opposed to outside the EU-27 (13.1%). However, this is not the case in Ireland, where 60.0% of companies with a foreign subsidiary have a subsidiary located outside the EU-27. Furthermore, in Croatia (40.0%), Sweden (32.0%), and Romania (30.8%) of the companies which have a foreign subsidiary, a relatively large share of companies has a foreign subsidiary which is located outside the EU-27.

One may assume a strong link between road freight transport companies that engage in “flagging out” practices and the extent to which they remain connected to the Member State of the ‘parent undertaking’ by carrying out transport operations in that Member State, notably through cabotage or intra-group transport activities by the foreign subsidiary. This question merits further attention but falls outside the scope of this paper.

Second, one can look at ‘flagging out’ from the opposite point of view, namely how many companies have a foreign majority shareholder and are thus controlled by an individual or entity outside of the Member State of establishment. Overall, 15 440 EU-27 road freight transport companies have a foreign majority shareholder, or 2.5% of all road freight transport companies (*Table 2*). In absolute terms, most companies with a foreign majority shareholder are located in Romania (2 554 companies), France (2 408), Slovakia (2 059), Italy (1 701), Bulgaria (1 573), and Poland (1 057).

Although ‘only’ 2.5% of EU-27 road transport companies have a foreign majority shareholder, this share varies greatly between Member States. In Luxembourg, more than one in four road freight transport companies have a foreign majority shareholder (26.7%). Furthermore, the share is rather high in Slovakia (9.8%), Malta (8.9%), Latvia (6.7%), and Bulgaria (5.8%). Hence, it can be inferred that establishing a road freight transport company in these Member States is particularly interesting, seeing that many foreign shareholders are active in these Member States.

Out of the 15 440 road transport companies with a foreign majority shareholder, 53.9% have a foreign majority shareholder located in the EU-27 (of which 31.2% in the EU-14 and 22.7% in the EU-13), while 46.1% have a foreign majority shareholder located outside the EU-27. In several Member States, the number of companies with a foreign majority shareholder outside the EU-27 has even surpassed the number of companies with a foreign majority shareholder in the EU-27. This is the case in France (80.4% of French companies with a foreign majority shareholder have a foreign majority shareholder located outside the EU-27), Ireland (71.6%), Malta (71.4%), Italy (61.1%), Croatia (56.0%), and Bulgaria (50.4%).

Table 1. Road freight transport companies found in Orbis with a foreign subsidiary, EU-27

	Number of companies with a foreign subsidiary located...					Share of companies with a foreign subsidiary in the EU-27 (B/A)	Share of companies with a foreign subsidiary outside the EU-27 (C/A)	Share of companies with a foreign subsidiary located anywhere (A/D)	Total number of companies (D)
	anywhere (A)	in the EU-27 (B)	in the EU-14	in the EU-13	outside the EU-27 (C)				
Austria	42	36	17	19	6	85.7%	14.3%	0.3%	12 022
Belgium	94	85	71	14	9	90.4%	9.6%	0.3%	28 046
Bulgaria	15	14	10	4	1	93.3%	6.7%	0.1%	27 183
Croatia	5	3	2	1	2	60.0%	40.0%	0.1%	8 014
Cyprus	4	3	1	2	1	75.0%	25.0%	0.9%	450
Czechia	56	56	11	45	0	100.0%	0.0%	0.1%	76 132
Denmark	45	43	32	11	2	95.6%	4.4%	0.9%	5 178
Estonia	12	11	3	8	1	91.7%	8.3%	0.2%	4 994
Finland	25	20	12	8	5	80.0%	20.0%	0.2%	16 182
France	37	29	23	6	8	78.4%	21.6%	0.1%	62 206
Germany	51	48	23	25	3	94.1%	5.9%	0.4%	12 843
Greece									3 906
Hungary	13	12	3	9	1	92.3%	7.7%	0.1%	16 518
Ireland	20	8	6	2	12	40.0%	60.0%	1.2%	1 721
Italy	101	83	46	37	18	82.2%	17.8%	0.2%	66 362
Latvia	12	11	6	5	1	91.7%	8.3%	0.3%	3 721
Lithuania	45	43	22	21	2	95.6%	4.4%	0.5%	8 242
Luxembourg	17	17	14	3	0	100.0%	0.0%	2.6%	664
Malta	2	2	2	0	0	100.0%	0.0%	2.5%	79
Netherlands	92	82	63	19	10	89.1%	10.9%	0.4%	23 805
Poland	50	46	33	13	4	92.0%	8.0%	0.1%	79 979
Portugal	25	23	22	1	2	92.0%	8.0%	0.3%	8 067
Romania	26	18	14	4	8	69.2%	30.8%	0.0%	66 348
Slovakia	38	33	8	25	5	86.8%	13.2%	0.2%	20 991
Slovenia	9	8	5	3	1	88.9%	11.1%	0.1%	6 562
Spain	98	82	69	13	16	83.7%	16.3%	0.2%	46 369
Sweden	25	17	10	7	8	68.0%	32.0%	0.1%	17 262
Total	959	833	528	305	126	86.9%	13.1%	0.2%	623 846

* Companies with foreign subsidiaries means that subsidiaries are located anywhere (excluding unknown countries). The participation is minimum 51% direct or total participation.

Source Orbis database (data extracted on 14/03/2025 [last data update 14/03/2025])

Table 2. Road freight transport companies found in Orbis with a foreign majority shareholder, EU-27

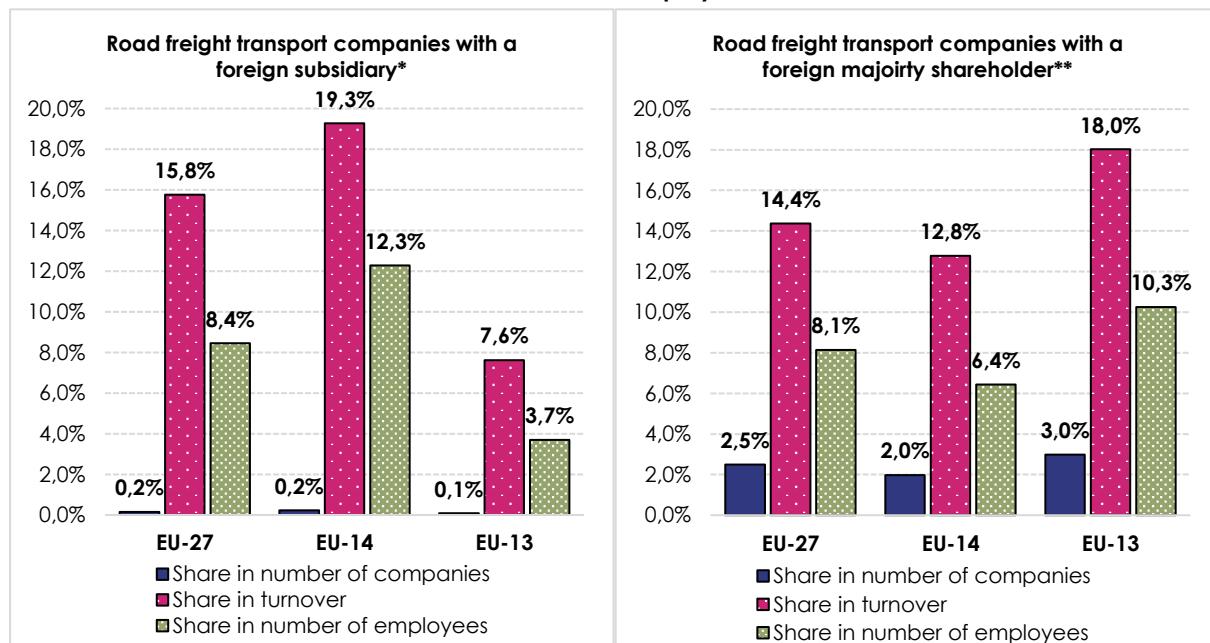
	Number of companies with a foreign majority shareholder located...					Share of companies with a foreign majority shareholder in the EU-27 (B/A)	Share of companies with a foreign majority shareholder outside the EU-27 (C/A)	Share of companies with a foreign majority shareholder located anywhere (A/D)	Total number of companies (D)
	anywhere (A)	in the EU-27 (B)	in the EU-14	in the EU-13	outside the EU-27 (C)				
Austria	101	86	45	41	15	85.1%	14.9%	0.8%	12 022
Belgium	472	251	205	46	221	53.2%	46.8%	1.7%	28 046
Bulgaria	1 573	780	704	76	793	49.6%	50.4%	5.8%	27 183
Croatia	250	110	61	49	140	44.0%	56.0%	3.1%	8 014
Cyprus	12	7	7	0	5	58.3%	41.7%	2.7%	450
Czechia	986	648	212	436	338	65.7%	34.3%	1.3%	76 132
Denmark	68	58	51	7	10	85.3%	14.7%	1.3%	5 178
Estonia	103	88	34	54	15	85.4%	14.6%	2.1%	4 994
Finland	36	28	17	11	8	77.8%	22.2%	0.2%	16 182
France	2 408	471	372	99	1 937	19.6%	80.4%	3.9%	62 206
Germany	423	332	161	171	91	78.5%	21.5%	3.3%	12 843
Greece	2	2	2	0	0	100.0%	0.0%	0.1%	3 906
Hungary	33	26	24	2	7	78.8%	21.2%	0.2%	16 518
Ireland	74	21	19	2	53	28.4%	71.6%	4.3%	1 721
Italy	1 701	661	93	568	1 040	38.9%	61.1%	2.6%	66 362
Latvia	250	130	58	72	120	52.0%	48.0%	6.7%	3 721
Lithuania	410	236	143	93	174	57.6%	42.4%	5.0%	8 242
Luxembourg	177	164	161	3	13	92.7%	7.3%	26.7%	664
Malta	7	2	1	1	5	28.6%	71.4%	8.9%	79
Netherlands	185	107	97	10	78	57.8%	42.2%	0.8%	23 805
Poland	1 057	599	409	190	458	56.7%	43.3%	1.3%	79 979
Portugal	108	92	89	3	16	85.2%	14.8%	1.3%	8 067
Romania	2 554	1 466	1 235	231	1 088	57.4%	42.6%	3.8%	66 348
Slovakia	2 059	1 675	363	1 312	384	81.4%	18.6%	9.8%	20 991
Slovenia	115	62	48	14	53	53.9%	46.1%	1.8%	6 562
Spain	208	175	159	16	33	84.1%	15.9%	0.4%	46 369
Sweden	68	50	49	1	18	73.5%	26.5%	0.4%	17 262
Total	15 440	8 327	4 819	3 508	7 113	53.9%	46.1%	2.5%	623 846

* Companies with foreign shareholders means that shareholders owning together 51% are located anywhere (excluding unknown countries). The company may have other shareholders located in the country of origin. The participation is minimum 51% direct or total participation for all foreign shareholders (of the same country) combined.

Source Orbis database (data extracted on 14/03/2025 [last data update 14/03/2025])

In addition to looking at the number of companies flagging out, it is of interest to look at the economic impact of those companies flagging out. Indeed, it turns out that while the number of companies with a foreign subsidiary or foreign majority shareholder remains rather limited, it especially concerns larger companies. As the left panel of *Figure 2* shows, while only 0.2% of EU-27 road freight transport companies have a foreign subsidiary, they account for 15.8% of turnover created and 8.4% of employees.²⁴ In the EU-14 it even concerns 0.2% of companies which stand for 19.3% of turnover and 12.3% of employees. In the EU-13, slightly less road freight transport companies have a foreign subsidiary (0.1%) and they also ‘only’ account for 7.6% of turnover and 3.7% of employees. Regarding road freight transport companies with a foreign majority shareholder, 2.5% of companies in the EU-27 represent 14.4% of turnover and 8.1% of employees (right panel of *Figure 2*).²⁵ In this case, the share in the EU-13 is larger, with 3.0% of road freight transport companies having a foreign majority shareholder, accounting for 18.0% of turnover and 10.3% of employees. In the EU-14 it concerns 2.0% of companies, good for 12.8% of turnover and 6.4% of employees. Hence, it is clear that particularly bigger road freight transport companies have a foreign subsidiary or foreign majority shareholder, meaning that the economic impact of flagging out is considerable.

Figure 2. Road freight transport companies found in Orbis with a foreign subsidiary (left) and foreign majority shareholder (right), share in total number of road freight transport companies, share in total turnover, and share in total number of employees, EU-27, EU-14, EU-13



* Companies with foreign subsidiaries means that subsidiaries are located anywhere (excluding unknown countries). The participation is minimum 51% direct or total participation.

** Companies with foreign shareholders means that shareholders owning together 51% are located anywhere (excluding unknown countries). The company may have other shareholders located in the country of origin. The participation is minimum 51% direct or total participation for all foreign shareholders (of the same country) combined.

*** Seeing that the data were extracted on a different date than the data reported previously in this chapter, and the Orbis database is updated regularly, the results might slightly differentiate.

Source Orbis database (data extracted on 24/04/2025 [last data update 18/04/2025])

²⁴ It should be mentioned that of the total group of road freight transport companies, the turnover was n.a. for 52.0% of companies and the number of employees for 49.4% of companies. For the group of road freight transport companies with a foreign subsidiary, the turnover was n.a. for 28.8% of companies and the number of employees for 21.1% of companies (Orbis database, data extracted on 24/04/2025 [last data updated 18/04/2025]).

²⁵ It should be mentioned that of the total group of road freight transport companies, the turnover was n.a. for 52.0% of companies and the number of employees for 49.4% of companies. For the group of road freight transport companies with a foreign majority shareholder, the turnover was n.a. for 34.5% of companies and the number of employees for 52.5% of companies (Orbis database, data extracted on 24/04/2025 [last data updated 18/04/2025]).

A more detailed analysis in *Table 3* shows the results from *Figure 2* by country of establishment of the road freight transport company. While Luxembourg (2.6%), Malta (2.5%), and Ireland (1.3%) are the Member States where the highest share of road freight transport companies has a foreign subsidiary, Germany stands out regarding the share in turnover, seeing that 51.8% of turnover is created by companies which have a foreign subsidiary. Furthermore, the share is on the high side in Austria (36.6%), the Netherlands (35.7%), Belgium (31.6%), and Malta (30.4%). Concerning the number of employees, over one fifth of employees in France (24.3%) and Germany (20.8%) are employed by a road freight transport company which has a foreign subsidiary.

Similarly, in terms of companies with a foreign majority shareholder, the Member States where most road freight transport companies have a foreign majority shareholder (being Luxembourg (26.4%), Slovakia (9.9%), Malta (8.9%), Latvia (6.8%), and Bulgaria (5.8%)), are mostly not the ones which are prominent regarding the share in turnover and number of employees. In Belgium, companies with a foreign majority shareholder account for 42.8% of all turnover created by road freight transport companies. In the Netherlands, this share amounts to 35.2% and in Poland to 33.4%. Finally, although 'only' 9.9% of Slovakian companies have a foreign majority shareholder, these companies represent 25.0% of employees, and in Belgium 1.7% of companies represent 19.5% of employees.

Table 3. Road freight transport companies found in Orbis with a foreign subsidiary and foreign majority shareholder, share in total number of road freight transport companies, share in total turnover, and share in total number of employees, EU-27

	Companies with a foreign subsidiary			Companies with a foreign majority shareholder		
	Share in number of companies	Share in turnover	Share in number of employees	Share in number of companies	Share in turnover	Share in number of employees
Austria	0.3%	36.6%	9.3%	0.8%	15.4%	5.7%
Belgium	0.3%	31.6%	14.4%	1.7%	42.8%	19.5%
Bulgaria	0.1%	9.9%	4.3%	5.8%	9.9%	6.9%
Croatia	0.1%	11.5%	3.9%	3.1%	6.9%	6.5%
Cyprus	0.9%	2.2%	2.7%	2.7%	17.8%	0.1%
Czechia	0.1%	4.8%	3.9%	1.3%	9.6%	5.6%
Denmark	0.9%	28.5%	12.9%	1.3%	2.1%	2.9%
Estonia	0.2%	3.1%	1.8%	2.2%	5.6%	4.3%
Finland	0.2%	9.9%	4.5%	0.2%	5.4%	1.8%
France	0.1%	16.4%	24.3%	3.8%	10.6%	7.8%
Germany	0.4%	51.8%	20.8%	3.4%	9.7%	4.3%
Greece				0.1%	0.5%	0.5%
Hungary	0.1%	12.1%	11.0%	0.2%	3.2%	2.1%
Ireland	1.3%	11.9%	6.0%	4.3%	25.1%	12.1%
Italy	0.2%	12.2%	8.4%	2.6%	8.4%	4.8%
Latvia	0.3%	16.5%	15.5%	6.8%	18.7%	13.4%
Lithuania	0.6%	26.5%	10.5%	5.0%	6.0%	7.0%
Luxembourg	2.6%	26.4%		26.4%	17.0%	
Malta	2.5%	30.4%		8.9%	6.1%	
Netherlands	0.4%	35.7%	10.5%	0.8%	35.2%	6.1%
Poland	0.1%	3.9%	1.0%	1.4%	33.4%	12.3%
Portugal	0.3%	11.8%	9.4%	1.3%	14.9%	12.9%
Romania	0.0%	2.4%	1.6%	3.9%	14.4%	12.1%
Slovakia	0.2%	4.9%	8.0%	9.9%	28.0%	25.0%
Slovenia	0.2%	2.4%	1.9%	1.8%	7.3%	5.7%
Spain	0.2%	12.7%	10.5%	0.5%	8.8%	5.6%
Sweden	0.1%	2.6%	1.3%	0.4%	6.7%	6.4%
Total	0.2%	15.8%	8.4%	2.5%	14.4%	8.1%
EU-14	0.2%	19.3%	12.3%	2.0%	12.8%	6.4%
EU-13	0.1%	7.6%	3.7%	3.0%	18.0%	10.3%

* Companies with foreign subsidiaries means that subsidiaries are located anywhere (excluding unknown countries). The participation is minimum 51% direct or total participation.

** Companies with foreign shareholders means that shareholders owning together 51% are located anywhere (excluding unknown countries). The company may have other shareholders located in the country of origin. The participation is minimum 51% direct or total participation for all foreign shareholders (of the same country) combined.

*** For both LU and MT, the number of employees was n.a. for all companies with a foreign subsidiary and companies with a foreign majority shareholder.

**** Seeing that the data were extracted on a different date than the data reported previously in this chapter, and the Orbis database is updated regularly, the results might slightly differentiate.

Source Orbis database (data extracted on 24/04/2025 [last data update 18/04/2025])

2.2 Data on intra-EU posting in the road freight transport sector

There are different administrative data sources which can be tapped into to get a grasp of the reality of posting in the road freight transport sector. First, one can look at data concerning Portable Documents A1 (PDs A1) which looks at posting from a sending country perspective. Second, data from the national prior declaration tools can be analysed to examine posting from a receiving country perspective. Third, a recent source which can be consulted is the EU Portal for road transport declarations (i.e., RTPD portal). In this section, all three data sources are looked at to get the most comprehensive view on posting in this sector, also considering that they all have their limitations.

Other valuable data sources also shed light on the significance of cross-border road transport in the EU, particularly with regard to the posting of drivers. These include Eurostat figures on cabotage and cross-trade operations, as well as data on driver attestations, which are discussed in *Sections 2.3* and *2.4*, respectively.

2.2.1 Data from Portable Documents A1

The Portable Document A1 (PD A1) serves as proof that its holder is covered by the social security system of the Member State which has issued the certificate. It also confirms that the person concerned has no obligations to pay social security contributions in any other Member State. PDs A1 are issued to various groups of persons, though mainly to ‘posted’ workers and self-employed persons (see Article 12 of Regulation 883/2004²⁶ (Art. 12 BR)) and to persons who pursue an activity as an employed/self-employed person in two or more Member States (see Article 13 of Regulation 883/2004 (Art. 13 BR)). A PD A1 can be requested by the posting undertaking or the self-employed person, whenever possible *before* the activities take place.²⁷ Subsequently, after verification of several ‘posting conditions’²⁸ (at least in theory), a PD A1 will be provided by the competent authorities.²⁹

In international road freight transport, truck drivers are mostly active in two or more Member States. Hence, especially PDs A1 under Art. 13 BR are issued to these workers. Indeed, in 2023, only 29 063 PDs A1 were issued under Art. 12 BR by 20 competent Member States that provided data (De Wispelaere et al., 2025a). As a result, the share of PDs A1 under Art. 12 BR for activities in freight transport by road (NACE H 49.4) in total PDs A1 issued under Art. 12 BR only amounted to 1.1% in 2023. From 2017 to 2022, this share has ranged from 0.2% to 2.0% (De Wispelaere & Pacolet, 2019; De Wispelaere et al., 2020, 2021a, 2022a, 2023a, 2024a).

On the contrary, of all the PDs A1 issued under Art. 13 BR, 39.2% were issued for freight transport by road activities in 2023 (De Wispelaere et al., 2025a). As *Figure 3* shows, in 2017 and 2018 around half of PDs A1 under Art. 13 BR were issued for road transport. From 2021 onwards, around four in ten PDs A1 under Art. 13 BR were issued for activities in this sector, which is still considerable.

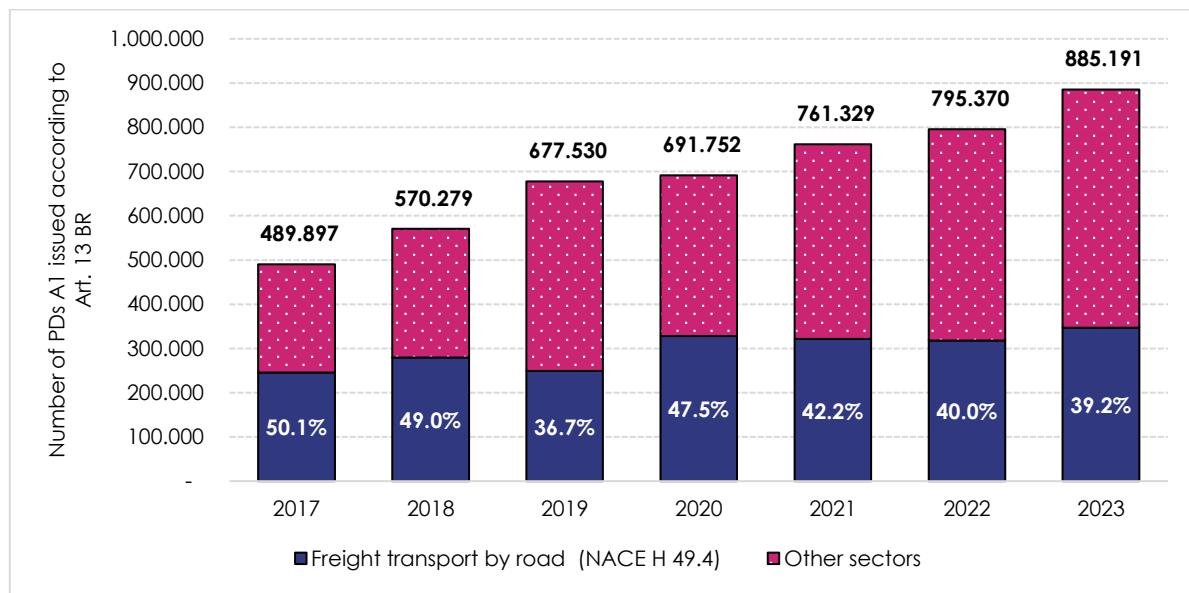
²⁶ Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (Text with relevance for the EEA and for Switzerland). See <https://eur-lex.europa.eu/eli/reg/2004/883/oj/eng>.

²⁷ See Article 15 (1) of the Implementing Regulation (Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (Text with relevance for the EEA and for Switzerland). See <https://eur-lex.europa.eu/eli/reg/2009/987/oj/eng>.

²⁸ There are several conditions, to be fulfilled cumulatively, for the proper use of posting under the Coordination Regulations (Basic Regulation (EC) No 883/2004 and Implementing Regulation (EC) No 987/2009): 1) the employer must normally carry out its activities in the Member State of establishment; 2) there is a direct relationship between the posting employer and the posted worker; 3) the posted worker is already affiliated to the legislation of the Member State in which his/her employer is established; 4) the posting is of a temporary nature (not exceeding 24 months); and 5) the posted worker is not being sent to replace another posted worker.

²⁹ Under the CJEU case-law (see e.g., Case C-202/97, FTS, paragraph 51 EU:C:2000:75) the competent authority needs to carry out a proper assessment of the facts relevant to the application of the rules for determining the applicable social security legislation and, consequently, to guarantee the correctness of the information contained in the PD A1.

Figure 3. Number of Portable Documents A1 issued according to Art. 13 BR, breakdown by transport sector and other sectors, 2017-2023



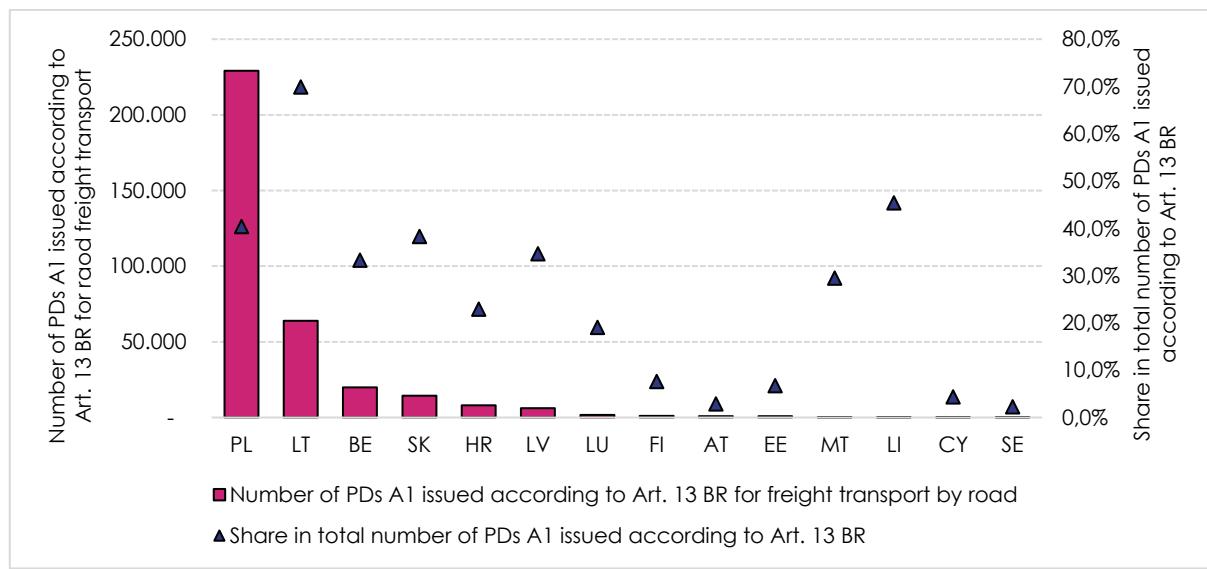
Source De Wispelaere & Pacolet (2019), De Wispelaere et al. (2020, 2021a, 2022a, 2023a, 2024a, 2025a)

Of the 885 191 PDs A1 under Art. 13 BR in 2023, a total of 346 900 were issued for road transport activities (De Wispelaere et al., 2025a) (Figure 3). The large majority of these 346 900 PDs A1 issued under Art. 13 BR for road freight transport in 2023 were issued by Poland, namely 229 215 or 66.1% of all PDs A1 (Figure 4, left axis). Furthermore, 63 931 or 18.4% were issued by Lithuania. This indicates that both Poland and Lithuania are important sending Member States of posted workers in this sector.

In several Member States, the share of PDs A1 issued in the road transport sector in the total number of PDs A1 issued under Art. 13 BR is higher than the average EU-share of 39.2%. In 2023, 69.9% of all PDs A1 issued under Art. 13 BR by Lithuania were for road freight transport (Figure 4, right axis). Over the years, this share has consistently been above 57% in Lithuania, and it even reached 84% in 2017. In Poland, as well, more than half of PDs A1 under Art. 13 BR issued from 2017 to 2021 were for road freight transport, while the share amounted to 47.5% in 2022 and 40.3% in 2023. Slovakia reported a share of over 52% in 2019 and 2021, and even above 60% in 2017 and 2018, but it has been around 39% in 2022 and 2023. In Liechtenstein, around 49% of PDs A1 under Art. 13 BR were issued in this sector between 2017 and 2023. Malta issued around 90% of PDs A1 under Art. 13 BR for activities in the road transport sector in 2021 and 2022, but the share dropped to 29.5% in 2023. Similarly, while more than 60% of PDs A1 under Art. 13 BR issued by Croatia in 2017 and 2018 concerned the road transport sector, this share was considerably lower in the following years, amounting to 22.9% in 2023.

Overall, the PD A1 data show that a substantial and increasing share of all multi-state workers in the EU are active in the road freight transport sector, with particularly large volumes reported for hauliers established in EU-13 Member States. Although PD A1 figures issued under Article 13 cannot distinguish between posting and other forms of mobility, the concentration of documents issued under Article 13 for drivers working across borders illustrates the structural reliance on cross-border labour in the sector and confirms the prominent role of EU-13 employment in servicing transport activity across the EU.

Figure 4. Number of Portable Documents A1 issued according to Art. 13 BR for road freight transport, absolute number and share in total number of Portable Documents A1 issued according to Art. 13 BR, 2023



* This graph can only show the Member States which were able to provide a breakdown by sector regarding the number of PDs A1 issued according to Art. 13 BR in 2023.

Source De Wispelaere et al. (2025a)

2.2.2 Data from prior declaration tools

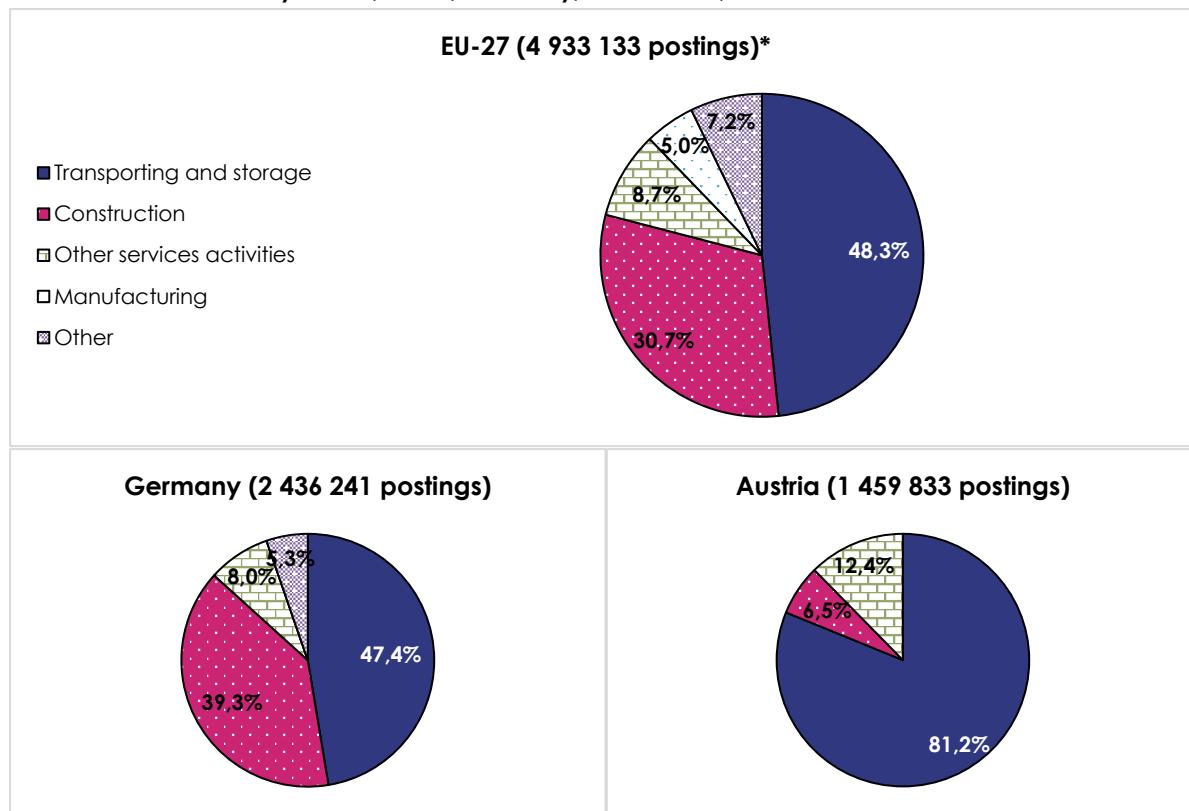
A second data source to investigate when looking at data on intra-EU posting in the road freight transport sector are the Member States' national prior declaration tools.³⁰ In these tools, data reflect the *intention* to provide services in the receiving Member States. However, it should be highlighted that these data are not collected for statistical purposes but rather to ensure effective monitoring of compliance with the obligations set out in the Posting of Workers Directive and the Enforcement Directive. Furthermore, Member States can exempt certain categories of posting undertakings from making a declaration in the prior declaration tool. Finally, while in some Member States, self-employed posted persons should register in the prior declaration tool, this is not the case in most Member States.

Data regarding 2021 indicate that over 2.3 million postings took place in the transporting and storage sector (NACE H) of 10 reporting Member States (incl. Germany), or 48.3% of all reported postings by these receiving Member States (Figure 5). Furthermore, around 386 000 persons were posted to this sector in 11 reporting Member States (excl. Germany), or 44.4% of all reported posted persons in these receiving Member States. As Figure 5 shows, the share of postings reported in the Austrian declaration tool regarding the transport sector is even more considerable, with 81.2% of postings in this sector in 2021. Furthermore, in Germany, the main receiving Member State of postings, 47.4% of postings occurred in the road freight transport sector.

As becomes clear from Figure 6 below, two Member States stand out when it comes to the posting of workers in the transport sector. Of all the postings registered in prior declaration tools for which data are available, 49.7% took place in Austria and 48.4% in Germany. Concerning the number of posted persons notified in the prior declaration tool, Germany is not able to provide any data. Hence, based solely on the reported figures, Austria is strongly present with 91.2% of all reported posted persons in the transport sector providing services in this Member State. Furthermore, 3.1% of services are provided in the Netherlands, 1.9% in Luxembourg, and 1.8% in Italy. These numbers therefore reflect only the available notifications and should not be interpreted as representing the complete picture across all Member States.

³⁰ Directive 2014/67/EU allows Member States to require a service provider established in another Member State to make a 'simple declaration' containing the relevant information necessary to allow factual controls at the workplace. All Member States used this possibility to implement a prior declaration tool for incoming posting undertakings and the workers concerned.

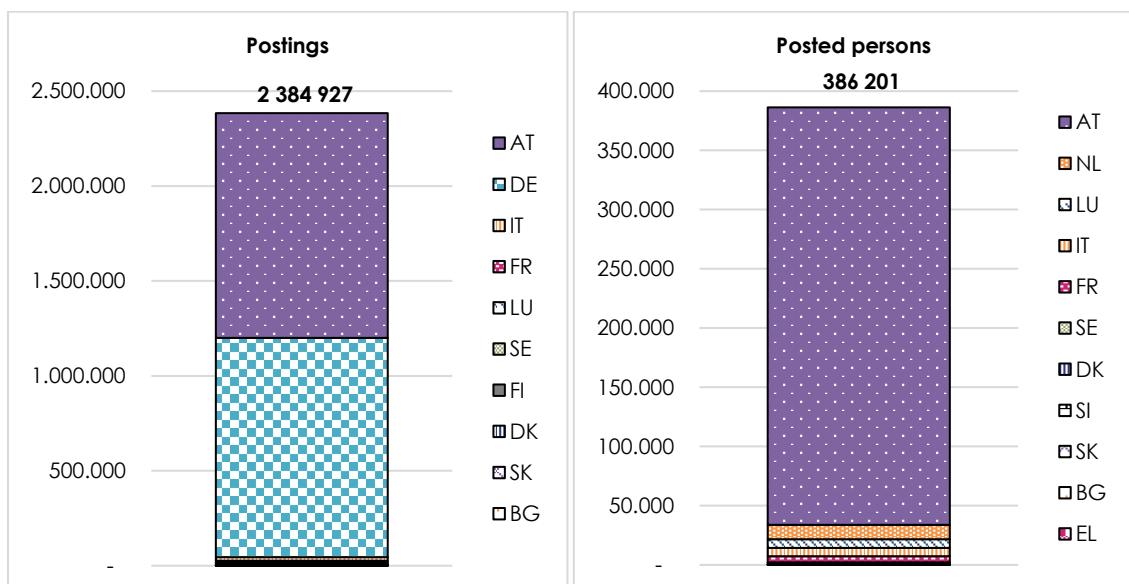
Figure 5. Number of postings reported in the prior declaration tools of the receiving Member States, breakdown by sector, EU-27, Germany, and Austria, 2021



* The total number of postings and their breakdown by sector only include the Member States which were able to provide a breakdown by Member States for reference year 2021. It includes the following 11 Member States: BG, DK, DE, FR, IT, CY, LU, AT, SK, FI, and SI. The NL provided data that excluded the road transport sector.

Source De Wispelaere et al., 2023b

Figure 6. Number of received postings and posted persons in the transporting and storage sector reported in the prior declaration tools, 2021



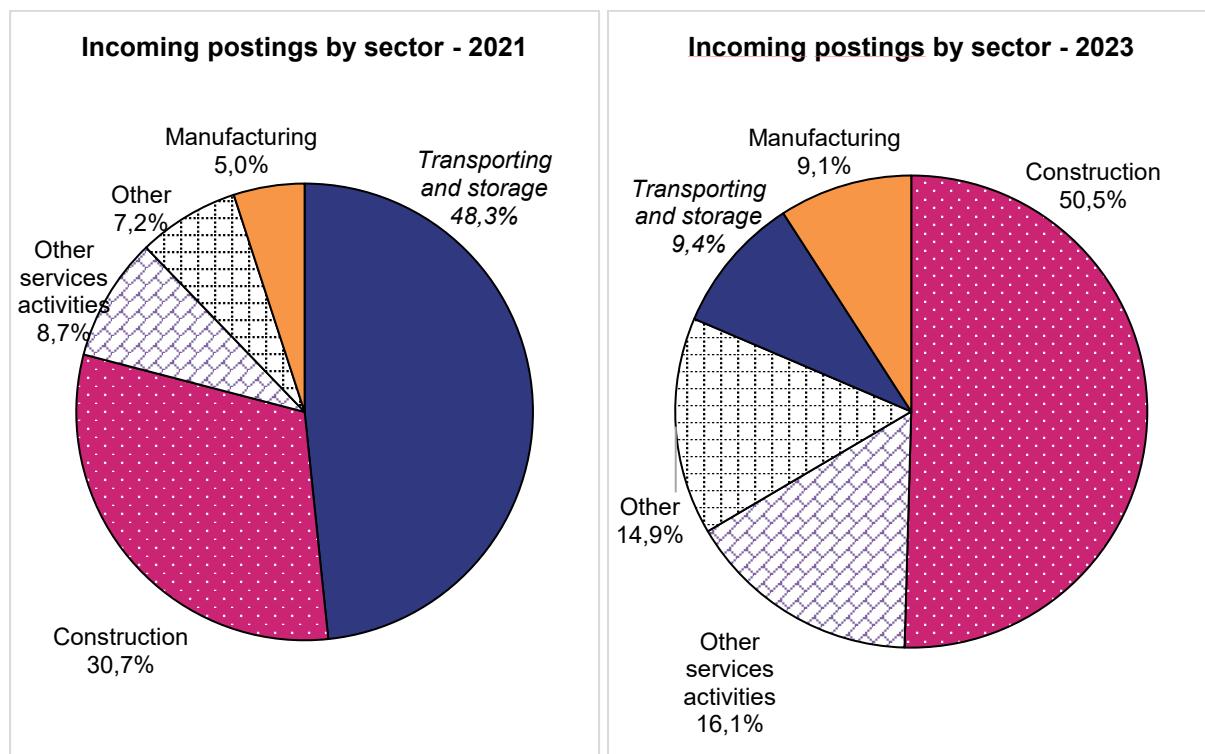
* As can be seen in the figures, the number of postings in the transport sector could only be reported by 10 Member States, while the number of posted persons was reported by 11 Member States. Seeing that these groups of Member States differ, the numbers cannot be compared to each other.

Source De Wispelaere et al., 2023b

As of 2 February 2022, the RTPD portal became the obligatory prior declaration tool that operators must use when posting drivers to another Member State. However, the *lex specialis* does not address the specific situation of drivers employed by temporary work agencies.³¹ Temporary agency drivers³² carrying out cross-border transport operations therefore fall within the scope of the Posting of Workers Directive and should still be reported in the prior declaration tools if not exempted. Moreover, the *lex specialis* does not regulate intra-corporate transfers,³³ namely situations in which drivers are posted to a subsidiary or establishment owned by the road transport operator. Such arrangements are likewise fully governed by the Posting of Workers Directive and should be reported in the prior declaration tools if not exempted.

Consequently, data on this sector are disappearing from this data source, which was strongly reflected in the report covering reference year 2023 (De Wispelaere et al., 2025b). To illustrate, while in 2021, 44.4% of posted persons and 48.3% of postings were received to provide services in the transporting and storage sector, these shares dropped to 11.3% and 9.4% respectively in 2023 (De Wispelaere et al., 2025b) (Figure 7). However, the figures for 2023 also show that a significant group of posted drivers still fall under Art. 1(3)(b) of the Posting of Workers Directive (i.e., intra-group posting) and Art. 1(3)(c) (i.e., hiring out through a temporary agency). Or there might be a risk that operators have notified their posted drivers both in the prior declaration tools of the receiving Member States and in the RTPD Portal. It would therefore be interesting to collect more information on this in the future.

Figure 7. Postings reported in the prior declaration tools of the receiving Member States, breakdown by sector, share in total, 2021 vs 2023



Source De Wispelaere et al., 2023b and 2025b.

³¹ The specific rules on posting of drivers contained in the *lex specialis* exclusively apply to drivers directly employed by a company that posts the drivers to another Member State on its account and under its direction (CORTE et al., 2024: 14).

³² For an example see CORTE et al. (2024: 14): "a temporary work agency supplies a driver to a Spanish operator for the purpose of delivering a full truck of goods from Spain to Portugal. While the truck belongs to the Spanish operator, the driver is directly employed by the temporary work agency. The *lex specialis* does not apply and the entire journey is governed by the Posted Workers Directive."

³³ For an example, see CORTE et al. (2024: 14): "Example: A Slovakian subsidiary assigns his drivers to the head office based in the Netherlands. The Slovakian employer and the Dutch user company both belong to the same company group. The *lex specialis* does not apply and this situation is governed by the Posted Workers Directive."

2.2.3 Data from the EU Portal for road transport declarations (RTPD portal)

Due to the change in the reporting of the posting of drivers from national prior declaration tools to the RTPD portal, there is a risk of losing visibility over one of the most important sectors, as shown in *Figure 7* above. However, to date there is no systematic collection and reporting of data from the RTPD portal at EU level. In this respect, the presentation of a number of figures from the RTPD portal at the POSTINGSTAT webinar on 15 October 2025 was very useful in providing an indication of the main ‘sending’ and ‘receiving’ Member States of posted drivers,³⁴ even though the reported data certainly have limitations. For instance, it cannot be ruled out that for a (large) number of posting declarations in the RTPD portal, no actual posting took place in the posting country.

At the latest at the commencement of the posting, road operators must submit a posting declaration, containing essential information about the driver and the posting. Operators must submit one posting declaration per driver. Consequently, if the driver is posted to several Member States, the operator will have to send one posting declaration per driver to each Member State where the driver is posted. For instance, if the driver is posted to ten different Member States, the operator will have to create ten different posting declarations for that driver. Furthermore, a posting declaration can be done for a minimum period of one day up to a maximum period of 6 months. After the maximum period of 6 months, a new posting declaration must be created. In that regard, counting the number of posting declarations is not the best indicator. Indeed, it would be better to collect and report figures on the number of unique posted drivers reported in the RTPD portal.

Despite the limitations of the ‘posting declarations’ variable, it nevertheless provides insight into the main ‘sending’ and ‘receiving’ Member States of posted drivers. In 2024, 19 593 807 posting declarations were made in the RTPD portal. The data clearly show that the vast majority of posted drivers originate from Poland and Lithuania. More than one-third (36%) of the posting declarations submitted by operators in the RTPD portal concern Poland, while over one-fifth (22%) concern Lithuania (*Table 4*). Another important sending Member State is Romania. The primary Member States to which drivers are posted are Germany, France, Belgium, the Netherlands, Austria, and Italy. Finally, it is interesting to note that the presentation mentions 594 225 unique drivers with an active declaration.

³⁴ For the presentation, see <https://hiva.kuleuven.be/en/calendar/docs/figures-from-the-eu-portal-for-road-transport.pdf>

Table 4. Number of posting declarations in the RTPD Portal, 2024

Posting from ...			Posting to ...		
	Number of declarations	% share in total		Number of declarations	% share in total
PL	6.966.752	35,6%	DE	1.370.466	7,0%
LT	4.225.614	21,6%	FR	1.355.290	6,9%
RO	2.214.841	11,3%	BE	1.186.061	6,1%
ES	893.146	4,6%	NL	1.171.109	6,0%
BG	674.560	3,4%	AT	1.105.796	5,6%
HU	655.936	3,3%	IT	1.066.190	5,4%
NL	649.223	3,3%	CZ	945.011	4,8%
DE	625.731	3,2%	LU	912.697	4,7%
PT	531.788	2,7%	ES	849.663	4,3%
CZ	371.380	1,9%	HU	812.578	4,1%
SK	363.724	1,9%	DK	800.451	4,1%
SI	295.458	1,5%	SK	796.301	4,1%
LV	254.485	1,3%	SI	664.807	3,4%
IT	199.141	1,0%	SE	629.025	3,2%
HR	180.654	0,9%	PT	595.952	3,0%
BE	130.812	0,7%	PL	532.252	2,7%
AT	82.856	0,4%	UK	513.215	2,6%
LU	63.582	0,3%	HR	491.251	2,5%
IE	58.770	0,3%	RO	449.861	2,3%
EE	54.090	0,3%	BG	413.842	2,1%
FR	33.153	0,2%	LV	403.883	2,1%
UK	26.110	0,1%	EL	402.733	2,1%
DK	18.658	0,1%	FI	393.054	2,0%
MT	8.212	0,0%	EE	387.926	2,0%
SE	7.217	0,0%	NO	358.368	1,8%
FI	3.567	0,0%	IE	350.378	1,8%
EL	2.509	0,0%	LT	293.956	1,5%
CY	1.168	0,0%	MT	174.782	0,9%
NO	670	0,0%	CY	166.909	0,9%
Total	19.593.807	100,0%	Total	19.593.807	100,0%

Source Based on the figures presented by Zoltán Magyar at the POSTING.STAT webinar.

2.3 The application of the *lex specialis* to international road freight transport

The question of which drivers could be considered ‘posted workers’ was a topic of discussion before Directive (EU) 2020/1057 came into force. The *lex specialis* now appears to provide clarity on the group of drivers covered, at least in theory. This Directive made it clear that the issue of whether a driver is posted or not depends on ‘the degree of connection with the territory of the host Member State’. Drivers performing cabotage operations,³⁵ cross-trade operations,³⁶ and non-bilateral operations forming part of

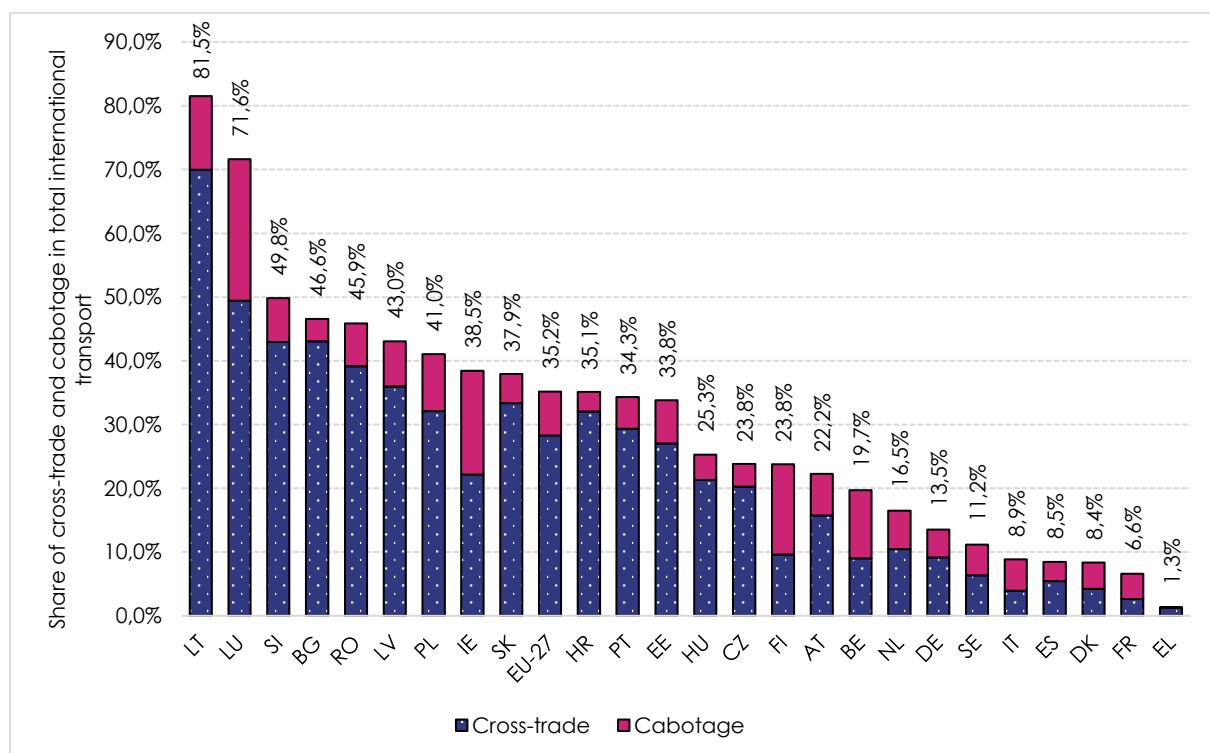
³⁵ Understood as domestic transport operations for hire or reward carried out on a temporary basis on the territory of a Member State by an operator established in another Member State⁸.

³⁶ Understood as transport operations carried out between two Member States, or between a Member State and a third country, none of which is the country of establishment of the operator carrying out these operations.

the initial or final road leg of a combined transport operation are considered posted workers.³⁷ Bilateral³⁸ and transit³⁹ transport on the other hand, are not considered to be posted work.

Consequently, to get an idea of the application of the *lex specialis* in road freight transport, the share of cabotage and cross-trade in total international transport is looked at. Such a distinction is far from trivial, as posting often involves the application of (much) higher wages and working conditions. As *Figure 8* shows, around 35.2% of international road transport operations in the EU-27 are estimated to be subject to the *lex specialis*. This consists primarily of cross-trade (28.3%) and to a lesser extent of cabotage (6.9%). In some ‘sending’ Member States, this joint share is especially high, such as in Lithuania (81.5%) and Luxembourg (71.6%). Furthermore, over 45% international transport is estimated to fall under the *lex specialis* by hauliers established in Slovenia, Bulgaria, and Romania as well. When comparing the EU-14 with the EU-13, there is a clear difference. While 15.3% of international transport operations performed by hauliers established in EU-14 Member States fall under the *lex specialis*, this share amounts to 44.8% of international transport operations performed by hauliers established in EU-13 Member States. Seeing that hauliers from the EU-13 conduct significantly more cross-trade and cabotage operations, drivers from these Member States are more likely to be classified as posted workers.

Figure 8. Application of the *lex specialis* to international road transport operations performed in the EU-27, estimated share in total, by ‘sending’ Member State, 2023



* Data for CY and MT are not available.

Source Eurostat [road_go_ta_tott]

Although the relative importance of cross-trade and cabotage performed, as seen in *Figure 8* is certainly of importance, the absolute amount of these types of transport performed are interesting as well. This gives us an idea about the most prominent players in the field of international transport. As can be seen in *Figure 9*, particularly Poland stands out with over 99 700 million tonne-km of cabotage and cross-trade performed in 2023, of which 78 000 million tonne-km cross-trade and 21 700 million tonne-km cabotage. The top 3 is

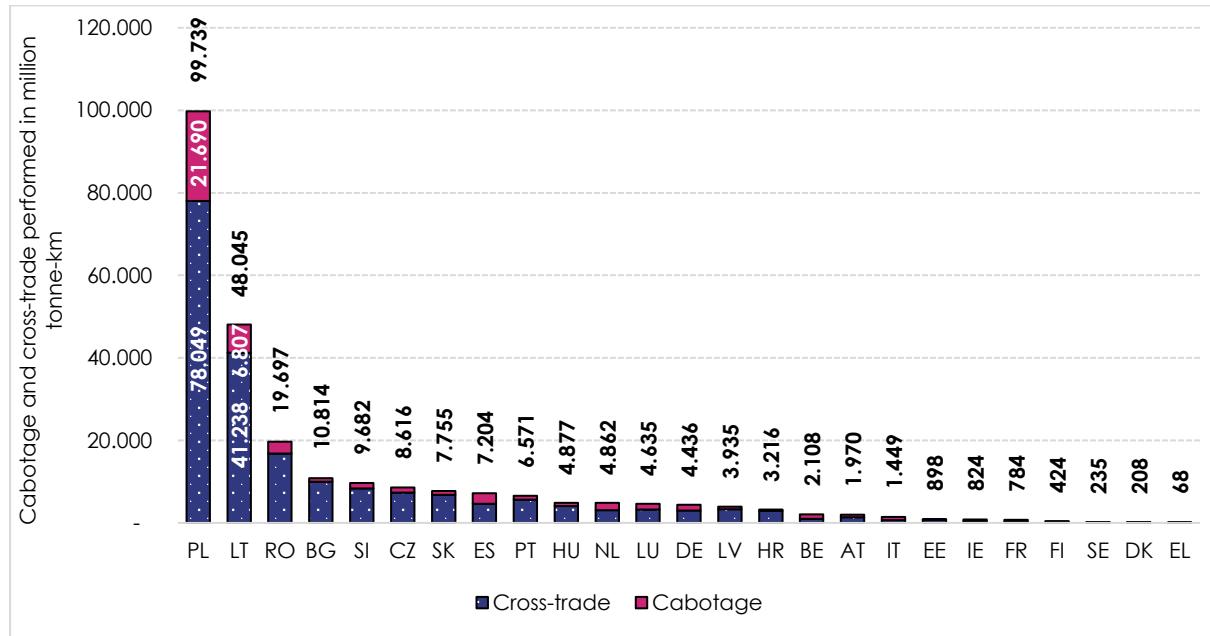
37 See, for more information, the factsheets published by the EC and EEA. See also EC, 2022.

38 Bilateral operations occur when transport from Member State A to Member State B is carried out by a transport company located in Member State A or B.

39 Transit arises when a driver drives into the territory of a Member State without loading or unloading cargo.

further completed by Lithuania with over 48 000 million tonne-km and Romania with almost 19 700 million tonne-km. In this respect, these figures seem to confirm the validity of the data from the RTPD portal (*Table 4*), and thus the significant role of Poland, Lithuania, and Romania as sending Member States of posted drivers.

Figure 9. Cabotage and cross-trade performed by the EU Member States, 2023, in million tonne-km



* Data for CY and MT are not available.

Source Eurostat [road_go_ta_tott]

2.3.1 Cabotage

Both cabotage and cross-trade are analysed in more detail, as these activities are considered activities of posting. Over time, the amount of cabotage performed in the EU-27 has certainly increased, from around 20 256 million tonne-km in 2010 to 49 646 million tonne-km in 2023 (*Figure 10*). However, both in 2022 and 2023 it was lower than in 2020 and 2021 as it remained stable at around 50 000 million tonne-km. This growth of cabotage performed in the EU-27 is almost entirely due to the growth in the EU-13, seeing that from 2010 to 2023 the cabotage performed by the EU-13 grew by 414.6% while it decreased with 7.3% for the EU-14.

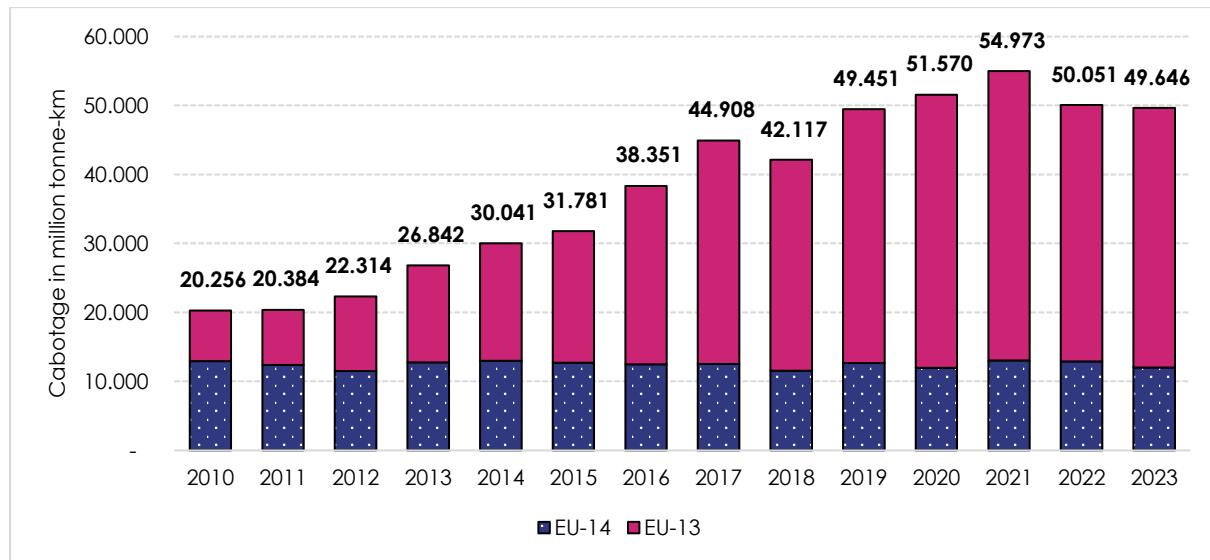
The growing importance of EU-13 Member States in international transport is once again visible. While in 2010 EU-13 Member States performed 36.1% of cabotage in the EU-27, this has increased to 75.8% in 2023. Indeed, the Member State performing most cabotage in absolute terms is Poland with 21 690 million tonne-km in 2023, or 43.7% of all cabotage performed in the EU-27. Furthermore, Lithuania performed 6 807 million tonne-km cabotage or 13.7% of the EU-27 total. Most of the cabotage performed in 2023 by Poland took place in Belgium (39.8%), France (39.0%), and Germany (19.2%).⁴⁰ Lithuania, on the other hand performed the large majority of its cabotage in Germany (41.7%), France (36.4%), and Italy (9.0%).

From the other perspective, the receiving Member State in which cabotage takes place, Germany clearly stands out, as 25 788 million tonne-km cabotage was performed in this Member State in 2023, or 54.0% of all cabotage performed in the EU-27.⁴¹ Additionally, 23.3% or 11 116 million tonne-km cabotage occurred in France. The large majority of cabotage taking place in Germany is performed by Poland (64.8%), followed by Lithuania (10.4%). The most common Member States performing cabotage in France are Poland (9.7%), Lithuania (9.1%), and Spain (8.5%).

⁴⁰ Eurostat [road_go_ca_hac] (data for CY and MT are not available).

⁴¹ Eurostat [road_go_ca_hac] (data for CY and MT are not available).

Figure 10. Cabotage performed by the EU-27, 2010-2023, in million tonne-km

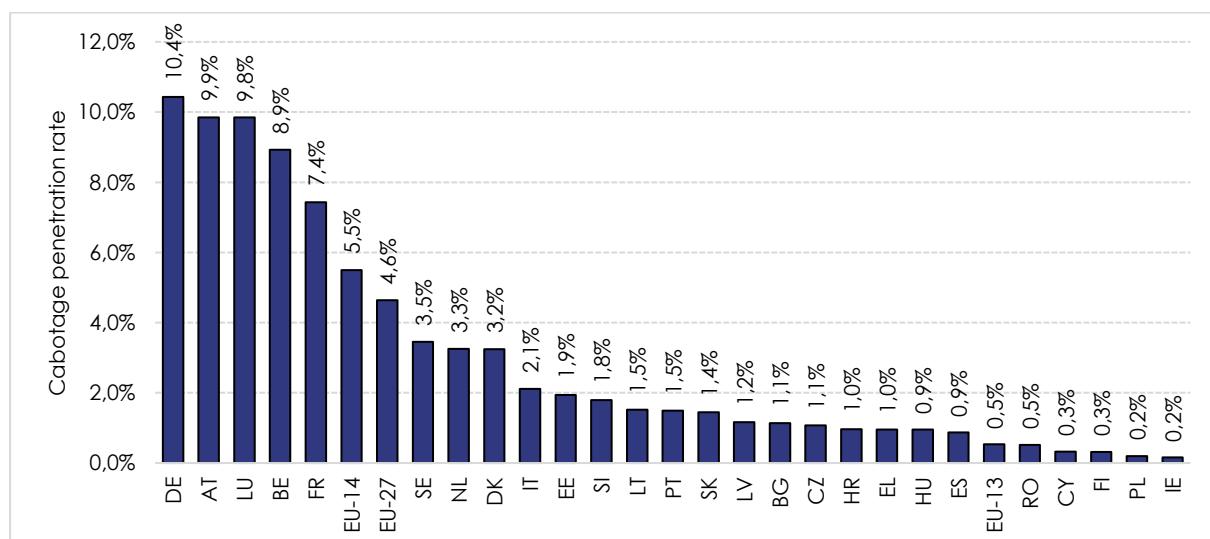


* Data for CY and MT are not available.

Source Eurostat [road_go_ta_tott]

A way to analyse the cabotage performed is by looking at it from a relative point of view. This can be done by calculating the cabotage penetration rate, which indicates the share of cabotage taking place in a certain country in the total national transport in that country, thus indicating the market share of foreign hauliers in total national transport activities. In total in the EU-27, this rate equalled 4.6% in 2023, which is lower than the cabotage penetration rate in the EU-14 (5.5%), but significantly higher than this rate in the EU-13 (0.5%) (Figure 11). This indicates that especially in EU-14 Member States, foreign hauliers are performing national transport. Seeing that the median cabotage penetration rate only amounted to 1.5%, there are clearly a few outliers with a high cabotage penetration rate. This is the case for Germany (10.4%), Austria (9.9%), Luxembourg (9.8%), Belgium (8.9%), and France (7.4%), which all have a rate above 7%. Nevertheless, even though cabotage is clearly growing in importance (see also Figure 10) and a significant share of national transport is carried out by foreign hauliers in some Member States (Figure 11), the large majority of national transport is still performed by domestic road freight transport companies.

Figure 11. Cabotage penetration rate*, EU-27, 2023



* The cabotage penetration rate is the share of cabotage transport in total national transport, where total national transport is the sum of national transport (for hire and reward) and cabotage transport (in that country).

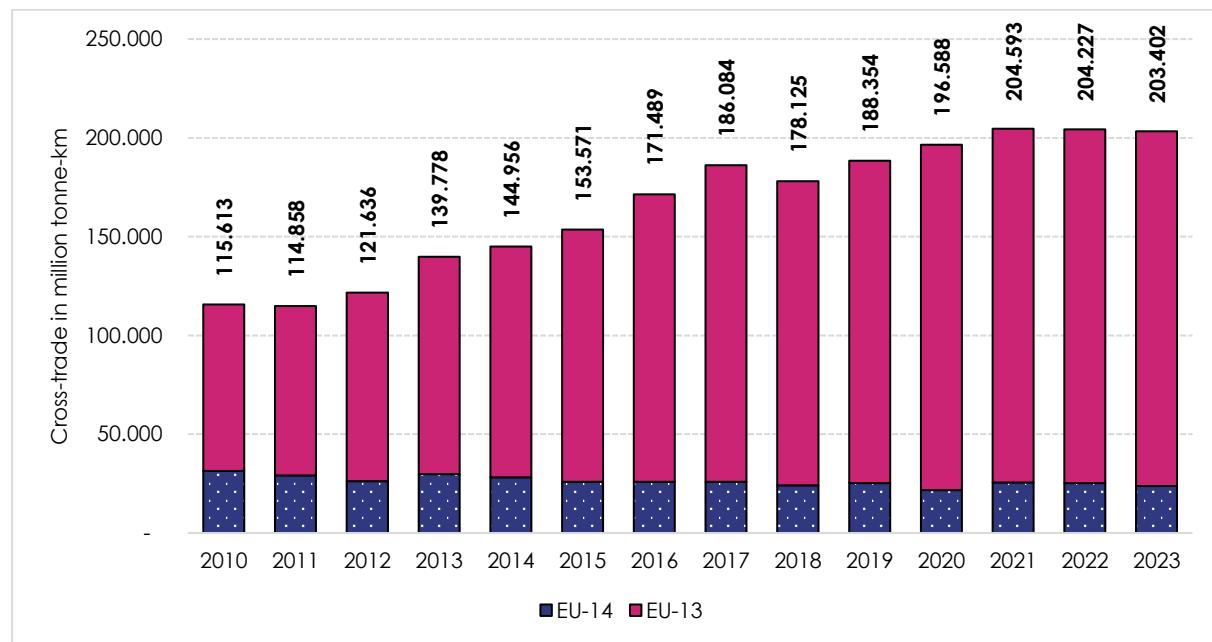
Source Eurostat [road_go_ta_tott] and [road_go_ca_c]

2.3.2 Cross-trade

As is the case for cabotage, the amount of cross-trade performed by the EU-27 has also increased, from 115 613 million tonne-km in 2010 to 203 402 million tonne-km in 2023 (Figure 12). This growth can be attributed to the EU-13, for which cross-trade grew by 113.2% compared to the EU-14 which knew a decrease of 24.2%.

Member States which performed most cross-trade in 2023 are once again Poland with 78 049 million tonne-km or 38.4% of the EU-27 total and Lithuania with 41 238 million tonne-km or 20.3%. Furthermore, 8.3% was performed by Romania. In general, 88.3% of cross-trade is performed by EU-13 Member States in 2023, as opposed to 11.7% by EU-14 Member States. However, cross-trade has largely been carried out by the EU-13 for quite some time. As early as 2010, the EU-13 accounted for 72.9% of cross-trade, while the EU-14 contributed 27.1%. This contrasts with the trends observed in cabotage, where the EU-13 has only taken the lead since 2013 (see Figure 10).

Figure 12. Cross-trade performed by the EU-27, 2010-2023, in million tonne-km



* Data for CY and MT are not available.

Source Eurostat [road_go_ta_tott]

2.4 Third-country nationals in the road freight transport sector

As it has become clear in recent years that TCNs are appearing more and more as posted workers, it is important to analyse this group of workers. A recent ELA-study on the posting of TCNs states that while data are lacking on the posting of TCN workers in the EU, both the construction and transport sector seem to be the leading sectors in which TCN posting takes place across the EU (Danaj et al., 2025).

Unfortunately, there are currently no publicly available figures from the RTPD portal concerning the nationality of reported drivers. Another way of looking at the group of TCNs in the road freight transport sector is examining the number of driver attestations issued and in circulation in the EU. A driver attestation is a standardised certification confirming that the driver of a vehicle engaged in road haulage operations between EU Member States is either legally employed by the relevant transport operator in the Member State where the operator is based or has been lawfully made available to that operator.⁴² It is required for drivers who are neither nationals nor long-term residents of an EU Member State. While not all individuals

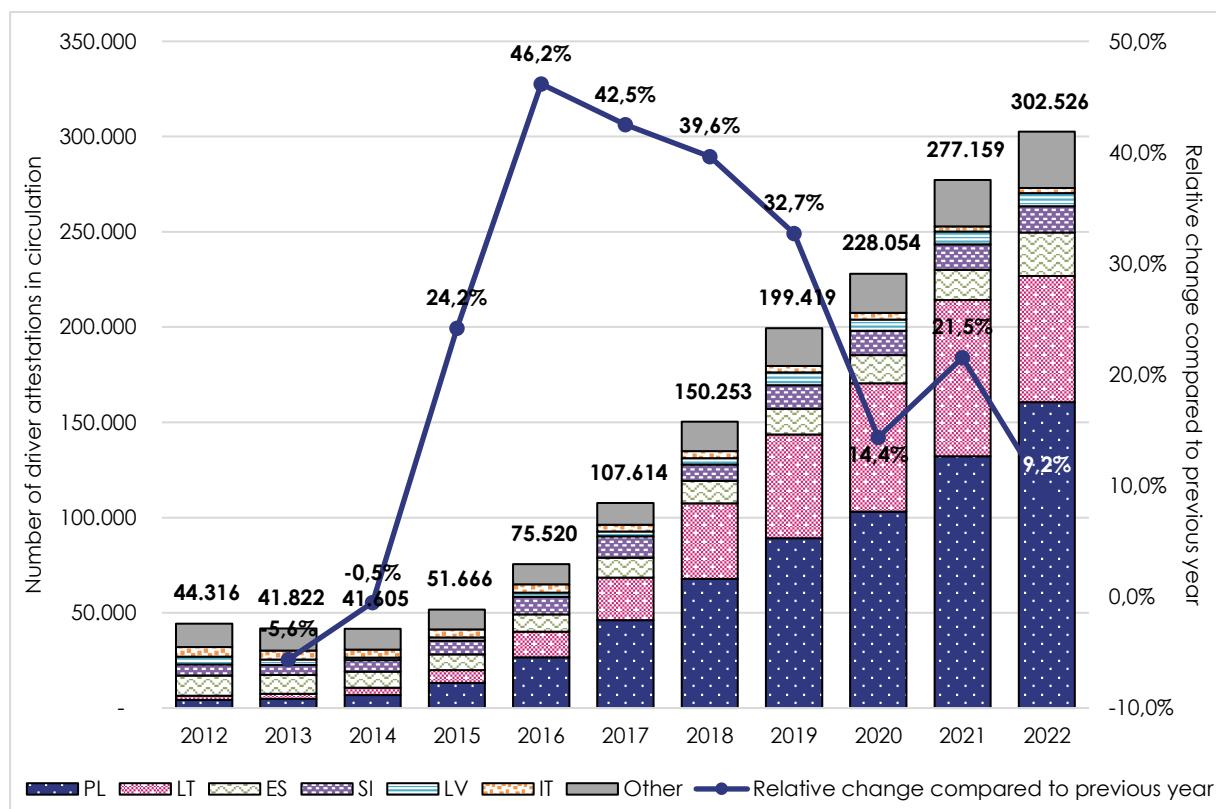
⁴² See Article 5 of Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (see <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32009R1072>).

holding a driver attestation are necessarily posted abroad, since this depends on their specific transport activities, the attestation serves as an indicator for those who *may* be posted.

In 2022, 212 394 driver attestations were issued by the EU-27 Member States, which is quite a growth compared to 28 059 driver attestations issued in 2012 (European Commission, 2024a).⁴³ However, seeing that driver attestations might be issued up to a validity of five years⁴⁴, a more interesting variable concerns the number of driver attestations in circulation. In 2012, only 44 316 driver attestations were in circulation, while in 2022 it concerned 302 526 driver attestations, or a growth of 582.7% (Figure 13).⁴⁵ While from 2012 to 2014, most driver attestations were issued by EU-14 Member States, from 2015 onwards, EU-13 Member States have taken the upper hand. In 2012, 57.9% of driver attestations in circulation originated from the EU-14 whereas this dropped to 11.3% in 2022.

Figure 13 indicates that the growth in number of driver attestations in circulation particularly took place from 2014 to 2019. From 2015 to 2016, the growth even amounted to 46.2%, while from 2021 to 2022, the growth ‘only’ amounted to 9.2%. Nevertheless, an almost continuous growth can be observed from 2021 to 2022. Furthermore, Figure 13 mentions the six Member States which had the largest number of driver attestations in circulation. Particularly Poland and Lithuania stand out in this regard. Poland shows a growth from 4 221 driver attestations in circulation in 2012 to 160 664 in 2022 or a growth of 3 706%, while in Lithuania the number went up from 2 277 in 2012 to 66 073 in 2022 or an increase of 2 802%. In 2023, even 109 899 driver attestations were in circulation in Lithuania.

Figure 13. Number of driver attestations in circulation, EU-27, 2012-2022



Source European Commission (2024a)

⁴³ Recently published figures for 2023 report that 252 309 driver attestations were issued. However, for Poland, the figure reported is the same as for 2022.

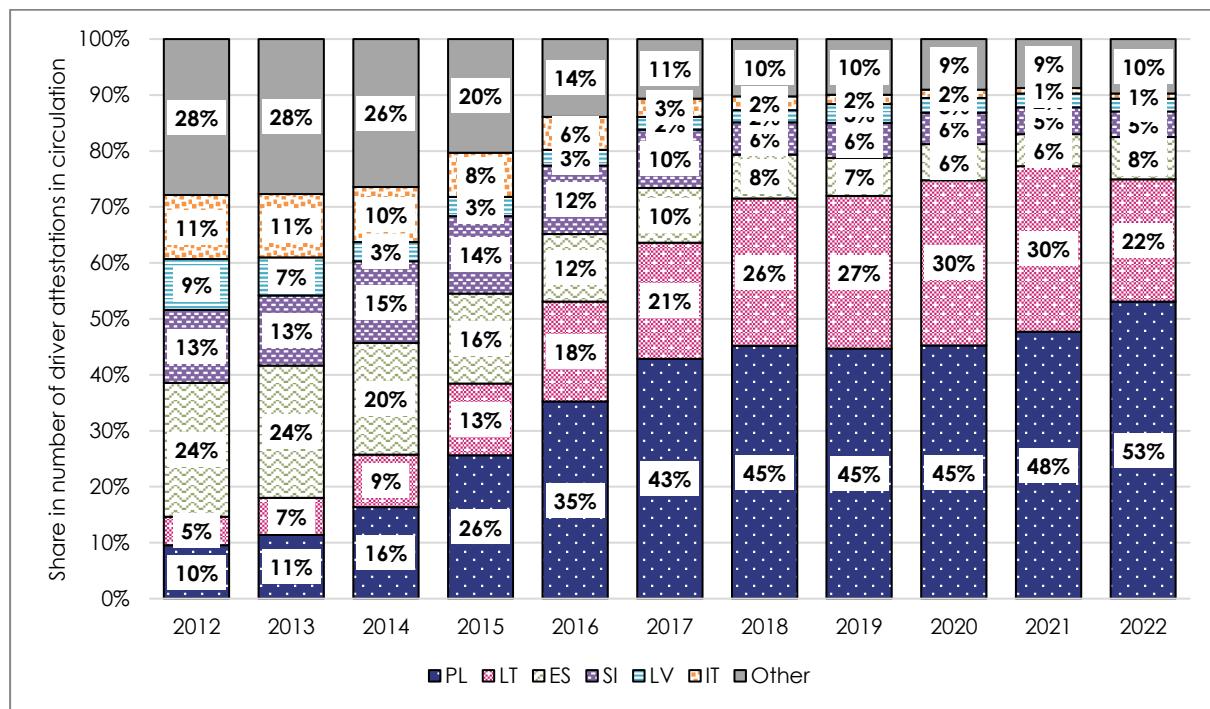
⁴⁴ See Article 5 of Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (see <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32009R1072>).

⁴⁵ Recently published figures for 2023 report that 364 608 driver attestations were in circulation. However, for Poland, the figure reported is the same as for 2022.

Another interesting way of revealing the growing importance of Poland and Lithuania is by looking at the relative distribution of the number of driver attestations in circulation. As *Figure 14* shows, in 2012 around one in four driver attestations in circulation were still issued by Spain, while in 2022 this share dropped to 8%. For Poland and Lithuania on the other hand, the opposite can be seen. In 2012, one in ten driver attestations in circulation were issued by Poland. In 2022, it concerned over half of driver attestations (53%). Similarly, only 5% of attestations in circulation were issued by Lithuania in 2012, while it grew to 30% in 2020 and 2021. Although it has dropped to ‘only’ 22% in 2022, this still indicates that over one in five driver attestations in circulation were issued by Lithuania.

Hence, the growing importance of driver attestations in circulation is certainly clear, which indicates the growing importance of TCNs in this sector. Furthermore, both Poland and Lithuania stand out as main issuing Member States of driver attestations, implying that many TCNs are active in these Member States’ road freight transport sector.

Figure 14. Number of driver attestations in circulation, relative distribution, EU-27, 2012-2022



Source European Commission (2024a)

In a final step, the number of driver attestations in circulation can be compared to the total number of persons employed in the road freight transport sector (NACE 4941).⁴⁶ This gives an idea about the ratio of TCNs active in this sector. It is estimated that 11% of employed persons in the EU in “Freight transport by road and removal services” are TCNs. This percentage rises to 32% in Poland and even to 90% in Lithuania. Although this is an estimate, it shows how strongly Lithuania has become dependent on TCNs in (transnational) road freight transport.

This increase in the number of TCN drivers has led to concerns from several Member States, as it is seen as a strategy to keep labour costs as low as possible (Parrillo, 2023). Furthermore, these drivers are seen as ‘modern slaves’ as they are placed in vulnerable positions where they are exploited (Lee, Groschopf, & Mossyrsch, 2022). Based on a survey carried out in 2020 with TCN drivers from Ukraine and Belarus employed by hauling companies from Eastern European Member States⁴⁷, it was found that employers refuse to pay the agreed salary, drivers were sometimes forced to exceed the driving times, and some

⁴⁶ Using data from European Commission (2024a) and Eurostat [sbs_sc_ovw].

⁴⁷ The results are based on 80 responses from 95 respondents who provided sufficient information for further analysis.

companies provided falsified documents (Lee et al., 2022). Similarly, in the recent ELA study based on interviews with TCN truck drivers, several malpractices came forward, among others having to pay for damage to the vehicle without being shown invoices, being asked to drive faster to meet a deadline, frequently sleeping in the truck, not respecting driving and rest times, and not receiving annual leave payments or being asked to reimburse leave payments to the employer (Danaj et al., 2025). One truck driver stated, *“I sleep, cook, live in the truck.”* (Danaj et al., 2025: 62). However, both enforcement agencies and social partners report that monitoring of drivers in international road transport, particularly concerning driving and rest periods, is a challenge (Danaj et al., 2025). Consequently, it is no surprise that voices rise to limit the number of TCN driver by for instance setting a maximum share of TCN driver compared to the number of national drivers (Parrillo, 2023).

3. Scale and characteristics of infringements related to intra-EU posting in road freight transport

3.1 Introduction

Some recent malpractices in the road freight transport sector demonstrate that infringements in this sector are certainly still occurring,⁴⁸ even though the working conditions and the fight against unfair practices were at the core of Mobility Package I, which was adopted in July 2020 and was implemented in national law by February 2022 (Eurofound, 2020).⁴⁹

In this chapter, the aim is to look at infringements related to intra-EU posting in the road freight transport sector. Nevertheless, it should be noted that these specific types of infringements are complex to capture. As was found in a thematic paper on inspection statistics on the enforcement of the posting rules, it is highly useful to collect and report (harmonised) inspection statistics on the enforcement of the posting rules, both at national and European level, but very difficult to carry out in practice (De Wispelaere et al., 2024d). Often, at national level the competences regarding the enforcement of the posting rules are fragmented over different enforcement bodies and therefore also the available inspection statistics on this topic. The thematic paper showed that even in general, inspection statistics are very incomplete and fragmented, let alone on the enforcement of the posting rules specifically. Consequently, gathering information on infringements related to the posting rules *in the road freight transport sector* seems like an even more impossible task. Therefore, this chapter first gives an overview of infringements which can occur regarding intra-EU posting in general, after which it focusses particularly on violations against the rules in the road freight transport sector. While the current chapter shortly covers infringements related to intra-EU posting in general (*section 3.1*), the authors refer to the thematic paper on inspection statistics for a more comprehensive analysis (De Wispelaere et al., 2024d). In the remainder of this chapter, the focal point is on infringements found in the road transport sector (*sections 3.2 and 3.3*).

In general, many infringements can possibly occur regarding intra-EU posting. *Table 5* provides an overview of some infringements related to labour law aspects as well as social security aspects. From a labour law perspective, one of the main infringements is the failure to consider a driver as a posted worker when cabotage operations, cross-trade operations, or non-bilateral operations forming part of the initial or final road leg of a combined transport operation take place. This most often results in the underpayment of

⁴⁸ For instance, in March and April 2023, truck drivers which were employed by a Polish company spent six weeks on strike in Gräfenhausen (Germany) after going unpaid for months (European Parliament, 2023). Only a few months later, in July 2023, over 100 truck drivers working for the same company were on strike again. It concerned mainly truck drivers from Central-Asian countries which were demonstrating for their rights such as drivers from Uzbekistan, Georgia, Tajikistan, Ukraine and other countries outside the EU (ETF, 2023). The strike ended successfully by the end of September 2023 as the drivers received the money owed to them and the company had agreed to forfeit legal action against them (ETF, 2023). More recently, in February 2025, new evidence of exploitation of TCN truck drivers came to light. Truck drivers from Zimbabwe, which were recruited early 2024 went on strike to highlight their exploitation (ETF, 2025). They were underpaid, paid too late, and employed on Slovak contracts but carried out no activity in Slovakia. This case involves multiple violations of EU regulations on driving and rest periods, the posting of workers, and other labour standards. Much like the Gräfenhausen case (see above), the company's practices amount to severe exploitation of vulnerable workers, bordering on modern slavery (ETF, 2025). Solutions to these problems do not lie in more regulations, as many regulations are already in place, but in better enforcement, according to ABVV-BTB (Moreels, 2025). In this regard, ELA could prove useful by offering support for the organisation of inspections and controls, as well as providing information and training to enforcement services and encouraging cooperation between and joint roadside checks and inspections by enforcement authorities (European Parliament, 2024). A good practice in this regard concerns the series of workshops on enforcement of remuneration for posted drivers in the road transport sector, recently organised by ELA at the initiative of the International Road Transport Union (IRU) and in cooperation with the European Commission (ELA, 2025). The sessions drew over almost 600 participants across the EU, including enforcement authorities, road transport operators, social partners and other sectoral organisations. Between April and June 2025, a series of workshops addressed the practical challenges of verifying documentation and remuneration under Directive (EU) 2020/1057, commonly known as the *lex specialis*. The initiative sought to enhance the consistency and effectiveness of enforcement across the EU, particularly concerning national rules on remuneration, while supporting both authorities and transport operators in navigating the relevant enforcement requirements. A draft proposal outlining common enforcement practices - developed by the IRU and discussed during the workshops - will be submitted to Member States, the European Commission, and social partners for review and potential endorsement.

⁴⁹ See https://transport.ec.europa.eu/transport-modes/road/mobility-package-i_en.

posted drivers. Moreover, even when drivers are considered posted workers, there remains a risk of non-compliance with the applicable terms and conditions of employment, including occupational safety and health (OSH) requirements. Other examples of infringements are bogus self-employment where employees are being posted under the false status of being self-employed to benefit from different conditions. This might also be the case in road freight transport. For instance, in the report published by CORTE et al. (2024: 16) it is mentioned that “*enforcers should pay particular attention when drivers claim that they are self-employed and ascertain if ‘self-employment’ is not being used to evade any obligations under the lex specialis or the Posting of Workers Directive. Some factors that can point to a dependent employment relationship include autonomy available to the driver, whether the driver shares employer’s commercial risks, and whether the driver is performing tasks for several principals.*” Furthermore, to check whether a worker qualifies as a posted worker under the Posting of Workers Directive and the *lex specialis*, Member States must make an overall assessment, taking into account all factual elements. For example, in order to determine whether an undertaking genuinely performs ‘substantial activities’ in the Member State of establishment, pursuant to Article 4(2) of Directive 2014/67/EU, Member States may take into account, in particular: the place where the undertaking has its registered office and administration, uses office space, pays taxes and social security contributions, etc.; the place where posted workers are recruited and from which they are posted; the place where the undertaking performs its substantial business activity and where it employs administrative staff; the number of contracts performed and/or the size of the turnover realized in the Member State of establishment, taking into account the specific situation of, *inter alia*, newly established undertakings and SMEs. This naturally brings us to the possible existence of letterbox companies, which is discussed further in *section 3.3*. Furthermore, a posting situation concerns a temporary assignment outside a ‘habitual place of work’⁵⁰. In order to assess the temporary nature of the activity carried out by the posted worker, pursuant to Article 4(3) of Directive 2014/67/EU, Member States may assess, among others, whether the posting takes place to a Member State different from the country where the worker habitually carries out his or her work. This provision may also be subject to possible infringements. One of the highest risks, however, is underpayment resulting from incorrectly considering the transnational transport activity as not constituting a posting, or from disregarding the applicable remuneration in the host country. Concerning social security law aspects, other examples of infringements are not notifying the competent Member State about the posting, not respecting the posting conditions (incl. the requirement of a substantial connection with the sending country)⁵¹, or not paying the correct level of social security contributions. As already stated, international drivers will primarily fall under Article 13 of Regulation 883/2004, and the main consideration should be whether the conditions are met when determining the competent Member State (e.g., with regard to ‘substantial activities’⁵² of the driver in and the haulier’s ‘place of business’⁵³).

Nevertheless, this list of infringements is not exhaustive, and infringements can also occur in other branches of law. For instance, in migration law, when TCNs are posted without having a valid residence or work permit. Furthermore, infringements related to taxation, occupational health and safety, criminality, etc. can occur as well.

⁵⁰ To find out where a worker normally works or, in other words, what his or her habitual country of employment is, the rules on international private law as stated in Regulation 593/2008/EC (Rome I Regulation) should be applied.

⁵¹ The existence of substantial activities in the Member State of establishment can be checked via a series of objective factors. One of these objective factors is the turnover achieved by the posting company in the receiving and sending Member State during an appropriate typical period. For instance, a turnover of approximately 25% of total turnover in the sending Member State could be a sufficient indicator, but cases where the turnover is under 25% would warrant greater scrutiny (as defined by the Practical guide on the applicable legislation in the EU (EC, 2013:9)). However, there are doubts about the legal value of the 25% criterion.

⁵² See ‘4. Substantial activity and international transport workers’ in the Practical guide on the applicable legislation in the EU (EC, 2013)).

⁵³ Indeed, where a person working in more than one Member State does not pursue a substantial part of his/her activity in the Member State of residence, then the legislation of the Member State where the registered office or place of business of the employer or undertaking employing him or her is situated is applicable. See ‘7. How to determine the registered office or place of business?’ in the Practical guide on the applicable legislation in the EU (EC, 2013).

Table 5. Non-exhaustive overview of infringements related to intra-EU posting

Law labour aspects	Social security law aspects
Mainly related to the application of the Posting of Workers Directive (incl. <i>lex specialis</i>) and the Enforcement Directive	Mainly related to the application of the Coordination Regulations
Not considering a driver as a posted worker when cabotage operations, cross-trade operations, or non-bilateral operations forming part of the initial or final road leg of a combined transport operation take place.	The use of false Portable Documents A1.
Not respecting the terms and conditions of employment (incl. OSH) applicable to posted drivers. Risk of underpayment to drivers.	Bogus self-employment: drivers temporarily posted under the false status of being self-employed.
Bogus self-employment: drivers being temporarily posted under the false status of being self-employed.	Not respecting the posting conditions (e.g., the requirement that workers are attached to a posting undertaking that 'normally carries out its activities' in the sending country).
The posting undertaking (i.e. haulier) does not genuinely perform substantial activities in the sending country.	Non-compliance with the conditions relevant to determining the competent Member State in the case of activities in multiple countries (Art. 13 BR) (e.g., 'substantial activities and 'place of business').
The posted driver does not temporarily carry out his or her work in the host country.	Not paying the correct level of social security contributions.
Not respecting the 'administrative' requirements, related to: <ul style="list-style-type: none"> • the obligation for a service provider established in another Member State to make a simple declaration in the prior declaration tools (for road operators limited to temporary agency postings and intra-group postings); • the obligation for road operators to submit a posting declaration in the RTPD portal. 	Not respecting the 'administrative' requirements, related to: <ul style="list-style-type: none"> • Request of a PD A1: notify the competent Member State, whenever possible in advance, about the cross-border work-related activity.

Source De Wispelaere et al. (2022b)

Based on the data collected for the POSTING-STAT paper on inspection statistics regarding the enforcement of the posting rules (De Wispelaere et al., 2024d), it appears that in most Member States no specific units exist that enforce compliance with the posting rules in road freight transport. In Poland there is the Chief Inspectorate of Road Transport (GITD) which checks labour conditions of incoming posted workers in the transport sector. And in Belgium, the Directorate-General for Supervision of Social Laws (TSW/CLS) has a specific 'transport' unit. This reality also results in a lack of enforcement statistics that specifically focus on this sector, even though it can be assumed that the road freight transport sector is one of the sectors most prone to infringements in the context of the posting of workers. Therefore, reference had to be made below to other sources, which, however, do not specifically focus on the group of posted drivers.

3.2 Detecting infringements based on social rules in road transport

In relation to the road transport sector, additional legislation exists (next to the Posting of Workers Directive, the *lex specialis* and the Coordination Regulations) which allows us to analyse possible infringements more in detail. Regarding the social rules in road transport, there are several specific legislative acts which are looked at in detail on an annual basis by the European Commission, more specifically an analysis of control activities and the key challenges in enforcement (European Commission, 2024b). The four acts which were focussed on in the latest report covering reference years 2021-2022 are the following:

- Regulation (EC) No 561/2006⁵⁴ (also known as the **Driving Time Regulation**) establishing the minimum requirements on daily and weekly driving times, breaks and daily and weekly rest periods.

⁵⁴ Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85. See <https://eur-lex.europa.eu/eli/reg/2006/561/oi/eng>.

- Directive 2002/15/EC⁵⁵ (also known as the **Road Transport Working Time Directive**) laying down the rules on the organisation of the working time of mobile workers. It establishes the requirements on maximum weekly working times, minimum breaks in work and nighttime work. It applies to drivers within the scope of the Driving Time Regulation.
- Directive 2006/22/EC⁵⁶ (also known as the **Enforcement Directive**) establishing minimum levels of roadside checks and controls at the premises of transport undertakings to verify compliance with the provisions of the Driving Time Regulation.
- Regulation (EU) No 165/2014⁵⁷ (also known as the **Tachograph Regulation**) setting the requirements on the installation and use of tachographs⁵⁸ in vehicles within the scope of the Driving Time Regulation.

With regard to the information provided in this document and in the accompanying staff working document, which are discussed below, some attention should be paid to limitations of the data provided. For some variables, not all Member States were able to provide all the required data. Furthermore, the data include all road transport, meaning that not only road freight transport but also road passenger transport is included. Wherever possible, a breakdown between these two types of transport is provided, so that the focus of this report on freight transport can be preserved.

3.2.1 Roadside checks and checks at the premises

According to the Directive 2006/22/EC, Member States must organise a system of appropriate and regular checks at the roadside and at the premises of undertakings that are subject to the provisions of the Driving Time Regulation. The minimum number of checks must cover at least 3% of days worked by drivers falling under this Regulation. A total of 111.7 million working days were checked in 2021-2022, which is an increase compared to the 108.9 million working days in 2019-2020 (European Commission, 2024b). The EU average of working days checked is 4.7%, thus meeting the 3% requirement. Although most Member States checked more working days than the minimum requirement of 3%, some Member States have not met this threshold, namely Cyprus (2.4%), Hungary (1.5%), Ireland (0.7%), Lithuania (2.7%), Malta (0.5%), and Slovenia (2.4%) (European Commission, 2024c).

The ratio of working days to be checked at the roadside and at the premises, as set out in the Directive, amounts to at least 30% and at least 50% respectively. For the EU-27, this was achieved as it amounted to an average of 53% of working days being checked at the roadside and 47% checked at the premises.

A total of 3 564 138 vehicles and 3 745 458 drivers were checked at the roadside in 2021-2022 (European Commission, 2024b). At the premises, 84 128 transport undertakings were checked in which the records of 582 218 drivers were checked. At the roadside checks, in general 29% of vehicles checked are from another EU/EEA country or Switzerland (*Figure 15*). However, in Malta, Austria, Luxembourg, the Netherlands, Belgium, Slovakia, and France, more than half of checked vehicles in 2021-2022 were from another EU/EEA country or Switzerland. Furthermore, in the EU-27, 7% of checked vehicles were from a third

⁵⁵ Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities. See <https://eur-lex.europa.eu/eli/dir/2002/15/oj/eng>.

⁵⁶ Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Regulations (EC) No 561/2006 and (EU) No 165/2014 and Directive 2002/15/EC as regards social legislation relating to road transport activities, and repealing Council Directive 88/599/EEC. See <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02006L0022-20220202>.

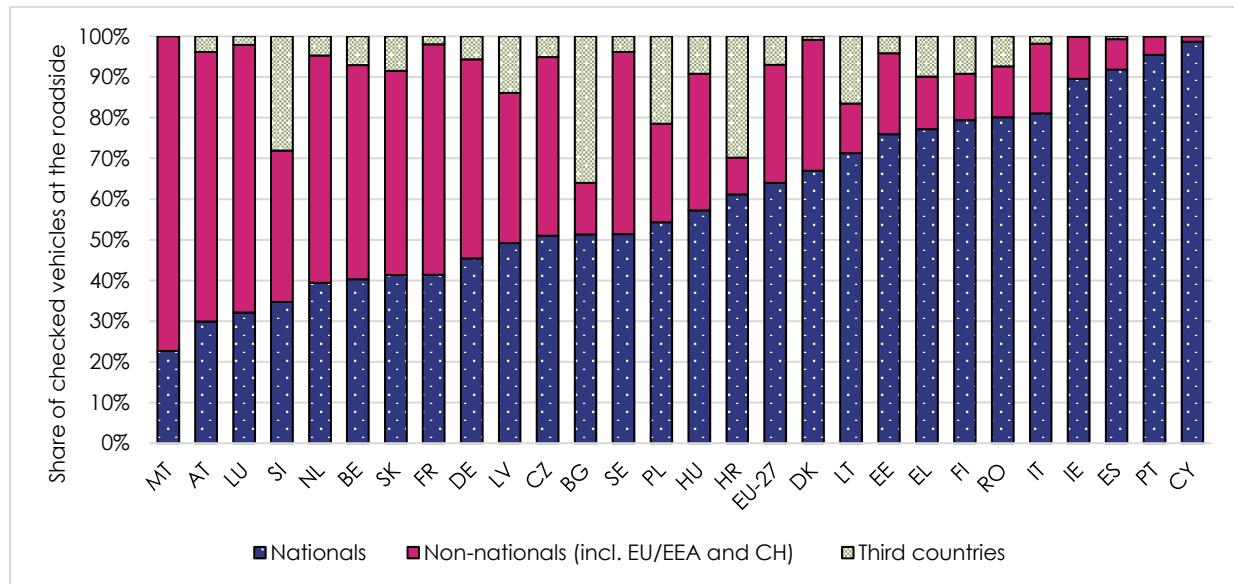
⁵⁷ Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport. See <https://eur-lex.europa.eu/eli/reg/2014/165/oj/eng>.

⁵⁸ The tachograph is the device that records driving time, breaks and rest periods as well as periods of other work and availability of drivers engaged in the carriage of goods or passengers by road. The purpose of the tachograph is to enable controls of compliance with the set of EU rules aimed to prevent driver fatigue and to contribute to good working conditions of drivers, road safety and fair competition. It is mandatory to install a tachograph in new vehicles having a mass of more than 3.5 tonnes when they are intended for the transport of goods, or new vehicles carrying more than 9 persons including the driver, when they are intended for the transport of passengers (European Commission, n.d.).

country, although this share is considerably higher in Bulgaria (36.0%), Croatia (29.9%), Slovenia (28.1%), Poland (21.5%), Lithuania (16.5%), and Latvia (13.9%).

The total number of control officers involved in checks (both at the roadside and at the premises) amounts to 60 040 in the EU-27 in 2021-2022 (European Commission, 2024c). Out of this group, 17 081 are control officers which are trained to analyse the digital tachograph, or 28.4% of all control officers.

Figure 15. Share of checked vehicles at the roadside by country of registration, 2021-2022, EU-27



* Although it concerns both vehicles for freight transport and passenger transport, about 93% of checked vehicles were carriers of goods and only about 7% were carriers of passengers.

Source European Commission (2024c)

3.2.2 Offences found at roadside and premises

A total of 3.03 million offences were reported by the 27 Member States in the period 2021-2022 (European Commission, 2024b). This comprises 1.53 million offences detected at the roadside and 1.5 million offences detected at the premises. The average offence rate, which is calculated based on 100 working days checked at premises amounted to 2.7. However, this rate was 2.11 per 100 working days for roadside checks and 3.81 per 100 working days for checks at premises. Regarding offences detected at the roadside, around 51% of offences were committed by domestic drivers, while domestic vehicles accounted for 64% of all vehicles stopped for control (see *section 3.2.1*), indicating that relatively more offences are found with non-domestic drivers. Regarding offences detected at the premises, the average offence rate was more than 17 offences per undertaking.

In terms of type of infringements found, the majority concern driving time records, in which the record sheets of the tachograph relating to the current day and the previous 28 days must be produced (*Table 6*). Furthermore, more than 10% of offences relate to rest periods, breaks, and driving time. However, the breakdown by type of check indicates that infringements on rest periods are the most common offence found at roadside checks (24.3%), while infringements on driving time records are most important for checks at premises (35.2%).

Table 6. Type of offences found at roadside checks and checks at premises, EU-27, 2021-2022

	Roadside		Premises*		Total	
	Number	% share	Number	% share	Number	% share
Driving time	284 909	18.6%	130 009	8.7%	414 918	13.7%
Breaks	228 922	15.0%	304 566	20.3%	533 488	17.6%
Rest periods	371 212	24.3%	222 133	14.8%	593 345	19.6%
28 days record sheet	292 798	19.1%	527 086	35.2%	819 884	27.1%
Recording equipment: incorrect functioning	87 062	5.7%	17 316	1.2%	104 378	3.4%
Recording equipment: misuse/manipulation	87 233	5.7%	175 494	11.7%	262 727	8.7%
Lack/availability of records for other work	177 339	11.6%	120 317	8.0%	297 656	9.8%
Total number of offences	1 529 475	100%	1 497 380	100%	3 026 855	100%

* Latvia could not provide a breakdown by type of infringement for offences detected at premises.

Source European Commission (2024c)

3.2.3 Cooperation between Member States

According to Article 5 of Directive 2006/22/EC, Member States are required to perform no less than six concerted roadside checks per year with at least one other Member State (European Commission, 2024c). Cooperation among Member States (through concerted checks, joint training initiatives, and the exchange of expertise and information) plays a vital role in strengthening enforcement efforts. This collaboration is essential for achieving the objectives of social legislation in the road transport sector, including better working conditions, fair competition, and enhanced road safety. Only 22 Member States could provide more information about checks, of which 10 Member States met the required number of concerted checks in 2021-2022.⁵⁹

Cooperation between Member States primarily involved neighbouring Member States (European Commission, 2024b). Additionally, during the most recent reporting period 2021-2022, most Member States indicated that their collaboration took place within the frameworks of the European Traffic Police Network (ROADPOL), Euro Control Route (ECR), and the European Labour Authority (ELA).

3.3 Detecting infringements based on the conditions to pursue the occupation of road transport operator

In addition to infringements found concerning social rules in road transport (see section 3.2), other regulations which apply to the road transport sector might provide interesting approaches to identify the scale and characteristics of infringements found in this sector. For example, Regulation (EC) No 1071/2009⁶⁰ establishes conditions which have to be applied with to pursue the occupation of road transport operator. Art. 3 of this Regulation specifies several requirements for engagements in the occupation of road transport operator: Undertakings engaged in the occupation of road transport operator shall:

- (a) have an effective and stable establishment in a Member State;
- (b) be of good repute;
- (c) have appropriate financial standing; and
- (d) have the requisite professional competence.

59 AT, BE, DK, FR, DE, IT, LT, NL, SI, and RO.

60 Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC. See <https://eur-lex.europa.eu/eli/reg/2009/1071/oi/eng>.

For each of these requirements, conditions are set out in the Regulation. Consequently, it becomes possible to assess some of these requirements (quantitatively). In this paper, we restrict our discussion to the requirement 'have an effective and stable establishment in a Member State,' as it can also be linked to the wording defined in the Coordination Regulations and the Posting of Workers Directive concerning 'substantial activities'. The source which is used in this paper to check these conditions is the Orbis database.

3.3.1 Having an effective and stable establishment in a Member State

To comply to the requirement of establishment, Article 5 of Regulation (EC) No 1071/2009 specifies the following:

- (a) have an establishment situated in that Member State with premises in which it keeps its core business documents, in particular its accounting documents, personnel management documents, documents containing data relating to driving time and rest and any other document to which the competent authority must have access in order to verify compliance with the conditions laid down in this Regulation. Member States may require that establishments on their territory also have other documents available at their premises at any time;
- (b) once an authorisation is granted, have at its disposal one or more vehicles which are registered or otherwise put into circulation in conformity with the legislation of that Member State, whether those vehicles are wholly owned or, for example, held under a hire-purchase agreement or a hire or leasing contract;
- (c) conduct effectively and continuously with the necessary administrative equipment its operations concerning the vehicles mentioned in point (b) and with the appropriate technical equipment and facilities at an operating centre situated in that Member State.

If one were to check these requirements, a proper investigation of every road freight transport company would of course be essential. However, a proxy to analyse this in a certain way is to look at the address of road freight transport companies. When a road freight transport company is located at an address where multiple companies are located, it could indicate that no substantial activities are taking place at this location.

In several previous research, this indicator has been used as well to assess this requirement of having an effective and stable establishment (see for instance De Wispelaere & Pacolet, 2018; De Smedt & De Wispelaere, 2020; Morel et al., 2021; De Wispelaere et al., 2022b). The Belgian union ABVV/BTB has also published a 'black book on social dumping' for several years (2010, 2012, 2017, 2019, and 2021) in which the 'flagging out' of transport companies and the occurrence of letterbox companies is investigated.⁶¹ In this 'black book' they go on site visits to check the actual address of Belgian road freight companies located abroad. What they find is often poignant. They visit addresses where transport companies are registered, but only a reception can be found: no trucks, no drivers, no garage, ... (ABVV-BTB, 2021).

While this type of investigation would take us too far in the scope of this report, the address variable can be analysed in the Orbis database. A total of 1 020 106 companies located in the EU-27 were found in the Orbis database which are active under NACE 4941 Freight transport by road. However, when only taking into account the active companies,⁶² a total of 622 491 companies can be found.⁶³ It is this group of companies which is analysed further in detail. Before analysing the address of these companies, some general information about this group of companies might be useful.

Most of the 622 491 road transport companies in the EU-27 found in Orbis are private limited companies (49.2%) or sole traders/proprietorships (35.6%). Additionally, 9% are branches and 4% are partnerships.

⁶¹ See <https://www.btb-abvv.be/wegvervoer-logistiek/sociale-dumping-in-transport/336-zwartboeken-sociale-dumping>.

⁶² Thus, excluding the following statuses: unknown situation, inactive companies, active companies (administratively non-compliant, rescue plan, default of payment, insolvency proceedings, reorganisation, dormant).

⁶³ Data extracted on 24/02/2025 [last data update 21/02/2025].

Other standardised legal forms, such as public limited companies (0.7%), non-profit organisations (0.0%), or public authorities (0.0%) are almost non-existent in this sector.

Nearly all road freight transport companies are classified as being ‘small’, namely 566 594 companies or 91% of all companies found in Orbis.⁶⁴ Another 8.1% are medium, 0.8% large, and 0.1% very large.

In terms of the date of incorporation of the company, the most common bracket is from 2000 onwards, namely 75.6% and between 1975 and 1999 with 17%. Additionally, for 1% of companies it concerns from 1950 to 1974, and for 0.2% of companies from 1900 to 1949. For 6.2% of companies, this variable was unknown.

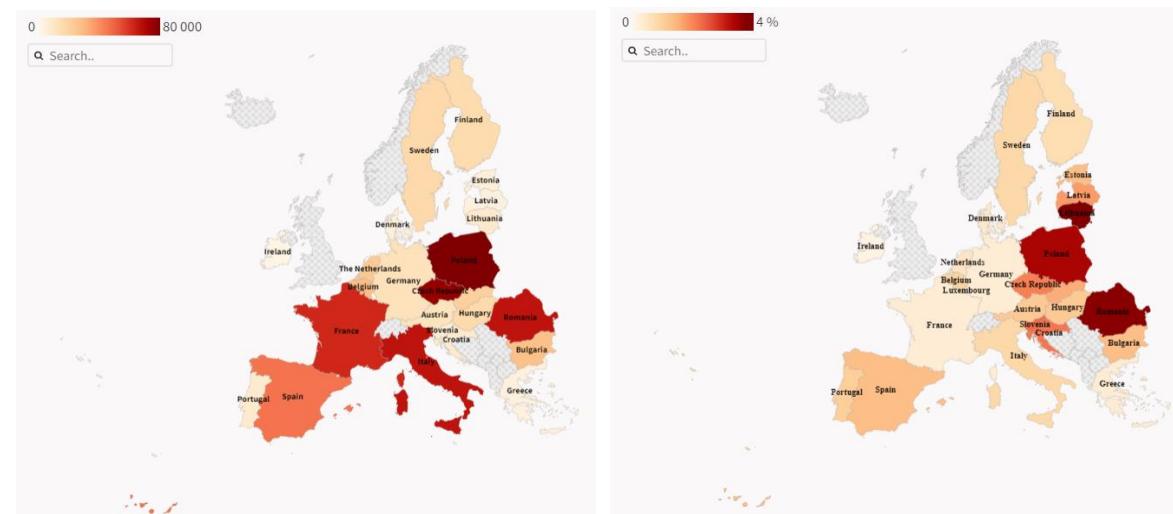
Some financial indicators show that on average, the turnover amounted to € 1 235 299 and the capital to € 76 668. However, it should be mentioned that this variable was unknown for 51.8% and 60.6% of companies respectively. Furthermore, the median values amounted to only € 134 896 turnover and € 6 750 capital, indicating that the distribution is rather skewed with a few very large companies with a high amount of turnover and capital. In terms of employees, the average amounted to 8.4 and the median to 3. Once more, this variable was unavailable for 48.9% of road freight transport companies.

A large group of road freight transport companies found in the Orbis database are located in Poland (79 984 companies or 12.8% of EU-27 total), Czechia (75 509 or 12.1%), Romania (66 348 or 10.7%), and Italy (66 316 or 10.7%) (*Figure 16*, left panel). Furthermore, 9.9% is located in France, 7.4% in Spain, 4.5% in Belgium, 4.4% in Bulgaria, 3.8% in the Netherlands, and 3.3% in Slovakia. For the remaining EU-27 Member States, it concerns less than 20 000 companies or 3% of the EU-27 total.

Although absolute numbers give an indication of the magnitude of road transport companies, it makes sense that the number is higher in larger countries compared to smaller countries. Hence, it is also useful to look at the relative share of road freight transport companies in the total number of companies active in a country. This gives an indication of the importance of this sector in this country. Consequently, it becomes clear that especially in Lithuania (3.8%), Romania (3.7%), and Poland (3.4%), the share of transport companies in the total number of companies found in the Orbis database is particularly high (*Figure 16*, right panel). Furthermore, the share exceeds 2% in Slovenia (2.3%), Croatia (2.2%), and Czechia (2.1%). In other main Member States according to the absolute number, such as Italy and France, the share only amounts to 0.9% and 0.4% respectively.

⁶⁴ Companies in Orbis are considered to be **very large** when they match at least one of the following conditions: * Operating revenue \geq 100 million EUR * Total assets \geq 200 million EUR * Employees \geq 1,000 * Listed. Companies in Orbis are considered to be **large** when they match at least one of the following conditions: * Operating revenue \geq 10 million EUR * Total assets \geq 20 million EUR * Employees \geq 150 * Not very large. Companies in Orbis are considered to be **medium sized** when they match at least one of the following conditions: * Operating revenue \geq 1 million EUR * Total assets \geq 2 million EUR * Employees \geq 15 * Not very large or large. Companies in Orbis are considered to be **small** when they are not included in another category.

Figure 16. Heat map of number of road freight transport companies found in Orbis (left) and share of road freight transport companies in total number of companies found in Orbis



* See for the online interactive versions of these figures: [Number of road freight transport companies](#) and [Share of road freight transport companies in total number of companies](#).

Source Orbis database (data extracted on 24/02/2025 [last data update 21/02/2025])

For the total group of 622 491 road freight transport companies found in the Orbis database in the EU-27, the address was looked at in more detail. Although the country of establishment was known for all companies found in Orbis, the address was certainly not complete for all companies. For instance, the city was not available for 3 995 companies.

There were 15 addresses found where more than 100 transport companies are located. An important remark concerns the spelling of the address. For instance, at the address Tsar Boris III 11A 2850 Petrich in Bulgaria, 'only' 111 road freight transport companies were found at first glance. However, when digging deeper into the data, many different ways of writing this address were discovered.⁶⁵ Consequently, it turned out that 390 road freight transport companies could be found at this address.

As *Table 7* shows, the address with most road freight transport companies is located in Bulgaria with 390 companies. Nevertheless, seven addresses of the top 15 addresses are located in Czechia, two in Italy, two in Poland, and two in Slovakia. Furthermore, there is one address in Finland.

Some of these addresses were already found in previous research as being ‘red flags’, for instance the addresses at Tsar Boris III 110 Petrich, Bulgaria, and at Karpatske Namestie 7770/10A Bratislava, Slovakia (Morel et al., 2021), and the addresses at Rybna 716/24, Kaprova 42/14, and Jaurisova 515/4 in Prague, Czechia (De Smedt & De Wispelaere, 2020). The Kaprova 42/14 address in Prague, Czechia also appeared in the latest ‘black book’ by ABVV/BTB (ABVV-BTB, 2021). In the ‘black book’, the following is mentioned when visiting this address: “On the top floor, we find a screen where new companies, including various transport companies, are displayed in rotation. We filmed for around 10 minutes so that we could get a look at all of the companies… There were a few people there, with responsibility for all these hundreds

65 To give an indication, it concerns all the following variations, which are assumed to all be on the same location: TSAR BORIS III 11A 2850 PETRICH BG; UL. TSAR BORIS III, 11A 2850 PETRICH BG; UL. TSAR BORIS III 11A 2850 PETRICH BG; TSAR BORIS III, 11, VH. A, ET 2 2850 PETRICH BG; UL. TSAR BORIS III, 11, VH. A, ET 2 2850 PETRICH BG; TSAR BORIS III, 11 A 2850 PETRICH BG; UL. TSAR BORIS III 11A, ET. 1 2850 PETRICH BG; UL. TSAR BORIS III, 11, VH. A, ET 3 2850 PETRICH BG; UL. TSAR BORIS III, 11 A 2850 PETRICH BG; KVARTAL, TSAR BORIS III, 11 A, BL., VH., ET, AP. 2850 PETRICH BG; UL. TSAR BORIS III, 11A 2850 PETRICH BG; UL. TSAR BORIS III, 11A, ET 1 2850 PETRICH BG; UL. TSAR BORIS III, 11, VH. A, ET. 2 2850 PETRICH BG; KVARTAL-, TSAR BORIS III, 11 A 2850 PETRICH BG; UL. TSAR BORIS III, 11A, ET. 1 2850 PETRICH BG; TSAR BORIS III, 11, VH. A 2850 PETRICH BG; BUL. TSAR BORIS III, 11A 2850 PETRICH BG; TSAR BORIS III, 11A A 2850 PETRICH BG; UL. TSAR BORIS III 11 A -SITI TSENTAR, OFIS 8 2850 PETRICH BG; TSAR BORIS III, 11A, 2850 PETRICH BG; TSAR BORIS III, 11A, ET 1 2850 PETRICH BG; TSAR BORIS III, 11A, ET. 1 2850 PETRICH BG; BUL. TSAR BORIS III 11A 2850 PETRICH BG; UL. TSAR BORIS III-11 11A 2850 PETRICH BG; UL. TSAR BORIS III, 11, VH. A 2850 PETRICH BG; UL. TSAR BORIS III-11, VH. A, ET. 3 2850 PETRICH BG; UL. TSAR BORIS III, 11A, ET 1 2850 PETRICH BG; UL. TSAR BORIS III-TI, 11A, ET 2 2850 PETRICH BG; TSAR BORIS III, 11, VH. A, ET 3 2850 PETRICH BG; KVARTAL -, TSAR BORIS III, 11A, ET 1 2850 PETRICH BG; UL. TSAR BORIS III -SITI TSENTAR, OFIS 8, 11, VH. A 2085 PETRICH BG; UL. TSAR BORIS III-TI, 11A 2850 PETRICH BG; TSAR BORIS III 11A, ET. 2 2850 PETRICH BG; TSAR BORIS 3, 11 A 2850 PETRICH BG; UL. TSAR BORIS III 11A, ET. 2 2850 PETRICH BG; UL. TSAR BORIS III 11, VH. A, ET. 2 2850 PETRICH BG.

of companies. Their job is to notify the companies if any post arrives, or to forward the mail to them. The definition of a letterbox company could not be any more apt.” (ABVV-BTB, 2021:21).

Although having more than 100 road freight transport companies at one address is already remarkable, in a next step, the address was looked up in the Orbis database to see how many companies were located at this address in total. For example, more than 9 000 companies were found to be located at Rybna 716/24 in Prague, Czechia. Moreover, over 5 000 companies were found in the Orbis database at Karpatske Namestie 7770/7, Bratislava, Slovakia, Karpatske Namestie 7770/10A Bratislava, Slovakia, and Kaprova 42/14, Prague, Czechia. This seems particularly remarkable when one goes to look for these addresses on Google Maps, and for instance an ordinary 4-story apartment building can be found on a location where more than 9 000 are located. Of course, not all the addresses mentioned here should automatically be classified as ‘suspicious’. For instance, when doing a Google Maps search, the address in Finland shows a large industrial estate where multiple trucks are parked. At other addresses in the list as well, it appears to be a genuine office buildings where multiple companies are located. Nevertheless, having more than 1 000 companies at one address could be a red flag that no genuine activity takes place at this location.

When comparing the number of road freight transport companies with the total number of companies located at a certain address, it can be seen that some addresses are really ‘hubs’ for road freight transport companies. The final column of *Table 7* shows that more than 60% of companies located at the addresses in Italy, the address in Finland, and one address in Poland are road freight transport companies.

Although the analysis of these ‘top 15 addresses’ with over 100 transport companies is interesting, other countries which do not appear in this list should not be left out of sight, as there were plenty of addresses with a multitude of transport companies. For instance, at the ‘top address’ in France, 94 road freight transport companies were located, and it concerns 77 road freight transport companies in Lithuania, 54 in Belgium, and 52 in Hungary.

Overall, this analysis of the addresses of companies clearly indicates that further investigation is needed, seeing that having multiple transport companies at one address can indicate that no genuine activity is taking place at this location, and a so-called letterbox company is registered there. Hence, the requirement of having an effective and stable establishment in a Member State is not fulfilled.

Table 7. Addresses with more than 100 road freight transport companies located at this address found in Orbis

Address	City	Country	Number of companies active under NACE 4941 Freight transport by road (A)	Total number of companies located at this address (B)	Share transport companies in total (A/B)
Tsar Boris III 11A	2850 Petrich	Bulgaria	390	783	49.8%
Karpatske Namestie 7770/7	83106 Bratislava-Raca (Bratislava)	Slovakia	388	5 011	7.7%
Karpatske Namestie 7770/10A	83106 Bratislava-Raca (Bratislava)	Slovakia	263	6 900	3.8%
Kurzova 2222/16	15500 Praha 5 (Prague)	Czechia	200	3 022	6.6%
Via Canturina 49	22100 Como	Italy	188	292	64.4%
Nove Sady 988/2	602000 Brno	Czechia	171	4 714	3.6%
Chudenicka 1059/30	10200 Praha 10 (Prague)	Czechia	159	3 620	4.4%
Rybna 716/24	11000 Praha 1 (Prague)	Czechia	148	9 459	1.6%
Via Nicolo Copernico 4	39100 Bolzano	Italy	148	223	66.4%
Śląska 22 Lok 16	42-217 Częstochowa	Poland	144	236	61.0%
Metsälehmuksentie 6	40800 Jyväskylä	Finland	126	173	72.8%
Kielecka 41A Lok 8	02-530 Warszawa (Warsaw)	Poland	126	817	15.4%
Kaprova 42/14	11000 Praha 1 (Prague)	Czechia	123	5 385	2.3%
Jaurisova 515/4	14000 Praha 4 (Prague)	Czechia	123	3 681	3.3%
Namesti Pratelstvi 1518/3	10200 Praha 10 (Prague)	Czechia	108	1 181	9.1%

Source Orbis database (data extracted on 24/02/2025 [last data update 21/02/2025]

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COORDINATOR

HIVA - Research Institute for Work and Society, KU Leuven (BE)

PARTNERS

CELSI - Central European Labour Studies Institute (SK)
COMILLAS - Comillas Pontifical University (ES)
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